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NEW SERIES No. 26.

SELECTIONS FROM THE RECORDS

OF THE OFFICE OF THE

FINANCIAL COMMISSIONER, PUNJAB.

Published by Authority.

No. 51.

CONTENTS.

LXXX.—Papers connected with the Kangra Forest Settlement.

Part I.—Correspondence.

„ II.—Notifications and General Conditions 1912

„ III.—Detailed Record of Rights.

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VOLUME I.

Lahore:

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BY SAMUEL T. WESTON.

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1911.

Part I.—Correspondence.

Papers connected with the Forest Settlement of Kangra.

No. 121, dated 17th February 1890.

From—J. M. Douie, Esquire, Senior Secretary to the Financial Commissioner, Punjab,
To—The Junior Secretary to Government, Punjab.

Commissioner of Jullundur's No. 1594, dated 28th May 1888.
Conservator of Forests' No. 320 C. L., dated 25th July 1888.
Conservator of Forests' No. 2044, dated 19th December 1889, and its enclosures.

In continuation of correspondence ending with your No. 298, dated 2nd July 1883, I am directed to submit, for the orders of His Honor the Lieutenant-Governor, Mr. Anderson's Report on Forest Settlement in the Kangra Valley, together with the correspondence noted in the margin.

2. The report is dated 20th August 1887, and after it had been printed copies were in February 1888 sent to the Commissioner of Jullundur and the Conservator of Forests for opinion. On receipt of their replies Colonel Wace decided to defer taking action till the orders of Government had been received on the Kulu Forest Settlement Report submitted with this office No. 150, dated 24th February 1888, and this course was approved by Government in demi-official correspondence as late as August 1889. But in your demi-official letter dated 8th January you asked that, in view of His Honor's approaching visit to Kangra, the report should be forwarded at an early date.

3. Mr. Young reviewed the report as Commissioner of Jullundur, and has little to add to what he then wrote. But he thinks it well to give his opinion briefly on the various points raised in the remarks and criticisms contained in the Note by the Conservator of Forests, which forms one of the enclosures of this letter. The references in the margin are to the paragraphs of Colonel Bailey's memorandum.

Paragraph 2.

4. Colonel Bailey has remarked on the scattered position of the demarcated blocks and the small area which some of them cover, and has asked whether it would not be possible to extend the present demarcation so as to embrace larger and more continuous stretches of forests. Mr. Young thinks that Mr. Anderson has done all that was possible under the circumstances, and that his demarcation should be accepted as it stands. In the case of the 67 villages of Kangra, Nurpur and Dehra, referred to in the 13th paragraph of the report, it will be seen that Mr. Young was inclined to take the view put forward by Colonel Bailey, *viz.*, that, although Government would not have a right of closure in any forests outside the reserves, such forests might nevertheless be declared "protected forests." After referring to the correspondence ending with your office No. 60 F. of 26th February 1875, he has come to the same conclusion as Mr. Anderson. Besides the matters mentioned in paragraph 3 of the report, Mr. Duff further pledged Government not to limit, within the 20 Nurpur villages, the extent to which waste lands might be broken up. The same terms were no doubt made, though not expressed, in regard to the Dehra villages in which Mr. Duff secured reserves. Protection under these circumstances is impossible, and Chapter IV of the Forest Act cannot be applied. As regards the eight villages in Kangra, Mr. Young, after referring to the Government Forest Proceedings No. 7 of July 1883, adheres to the view stated in paragraph 2 of the letter written by him as Commissioner of the Jullundur Division, and, as the forests are some of the best in the district, protection to the extent indicated would appear to be desirable. On the other hand, Mr. P. Egerton described them as "so extensive, so remote and so inaccessible that the work of reproduction might be safely left to nature which had been so successful there"; and in view of Mr. Anderson's decided opinion to the contrary, and of the action of Government being most probably misunderstood if the forests were declared "protected" the Financial Commissioner is not prepared to urge any further measures than those taken by Mr. Anderson.

Paragraphs 3 and 4.

5. The question of the sufficiency of the provisions of Chapter IV of the Indian Forest Act to secure objects aimed at in the case of the Kangra forests has been fully considered, and it is unnecessary on the present occasion to discuss the Conservator's remarks on this subject.

Paragraph 5.

6. Mr. Young does not think that the Deputy Commissioner should be instructed, as Colonel Bailey suggests, to take the advice of the Forest Officer before granting permission for the breaking up of land in undemarcated forests. On the contrary, he adheres to the opinion he expressed as Commissioner of Jullundur that in many cases the Deputy Commissioner might safely delegate his powers in this respect to trustworthy village headmen.

Paragraph 6.

7. Mr. Anderson has stated in the 25th paragraph of his report that the only ground upon which rights can be claimed is the payment of revenue. Colonel Bailey has argued that, this being the case, no rights should have been recorded as belonging to the classes described in the Kangra record of rights, Chapter I, paragraph 4 (2) and (4). The statement that the payment of revenue is the only ground on which rights can be claimed must not be taken in an absolute sense. It is clear from the context and from paragraphs 3 to 5 of the record that Mr. Anderson also considered that certain rights had been acquired by user. The extent of such rights has been carefully defined in paragraph 4 (2) and (4) of the record, and Mr. Young thinks that the Settlement Officer's action in admitting them was quite justifiable. The rights now recorded in favour of Bangujars and Gaddis were taken into consideration at the former settlement of the Kangra District, and could not now be disallowed. The evils consequent on the undue multiplication of flocks of sheep and goats will be checked to some extent, if action is taken at the present settlement in the direction suggested in Mr. Anderson's 85th paragraph.

Paragraphs 7 and 8.

Paragraph 9.

Paragraph 12.

Paragraph 29.

Executive instructions in this sense should now be given to Mr. O'Brien

8. It is incorrect to describe the recording of the right to sell harar and other fruits as a "concession," seeing that the income derived from this source was taken into account in assessing the land revenue. The provisions of the record as regards the sale of wood and grass seem to Mr. Young to be sufficiently stringent, and he does not think that any further restrictions, such as are contemplated by the Conservator, should be imposed. The amendment suggested in paragraph 3 (2) and (3) of the record seems hardly to be necessary, as the words "subject to the conditions hereafter detailed" used in paragraph 3 prevent the word "take" from being interpreted in too wide a sense. Nor does paragraph 11 of the record in Mr. Young's opinion, need alteration. The right to cut dry standing trees without permission is restricted by paragraphs 11 (*d*) and (*e*) to trees of a certain girth.

Paragraph 10.

Paragraph 11.

Paragraph 13.

Paragraph 14.

9. The Financial Commissioner agrees with Colonel Bailey in thinking that kakaru, harar, mohwa and babera should be added to the list of trees that may not under any circumstances be cut for burning the dead, given in paragraph 13 (*c*) of the record. Kakaru might also, as suggested by the Conservator, be added to the list of trees which may not be lopped for any purpose whatever [see paragraph 24 (1) of the record].

Paragraph 16.

Paragraph 22.

Mr. Young also agrees that for the reasons stated by Colonel Bailey, the words "Forest Officer" should be struck out in the 17th and 18th paragraphs of Chapter I of the record, but

Paragraph 17

Paragraph 18.

he would not make the other amendments in paragraphs 6 and 17 proposed by the Conservator. The provisions of paragraphs 6 and 19 (4) taken together are enough to prevent the abuse of the right to receive timber for building purposes free of charge to which Colonel Bailey has called attention.

Paragraph 19.

10. The Conservator has pointed out a discrepancy between paragraph 45 of the report and paragraph 19 (5) of the record. The period of five years stated in the latter should be taken as correct. Mr. Young approves of the suggestion that when the Deputy Commissioner in special cases grants a larger number of trees than can be claimed under paragraph 19 (1) he should record his reasons for so doing. It is clear from paragraph 19 that proprietors and tenants cannot claim separate rights on the same revenue payment. Any enjoyed by a tenant are exercised in virtue of the relation in which he stands to a land-owner.

Paragraph 20.

11. The Financial Commissioner cannot support the large enhancement of the rates to be charged to zamindars for priced trees proposed by Colonel Bailey. Were this sanctioned the whole system would break down. But under the 8th paragraph of the record the Settlement Officer will have to consider the question of the price to be charged for trees and make proposals. Mr. Young approves of the Conservator's suggestions regarding the preparation of a price list of trees sold at market rates to traders and right-holders who require more trees than are allowed them by the record.

Paragraph 21.

Paragraph 22.

12. The Financial Commissioner would make no addition to the restrictions on lopping contained in paragraphs 10 and 24 of the record. It is inadvisable to make changes in existing practice which are not clearly necessary.

Paragraph 23.

13. When rights of way and water have been proved to exist, they cannot be limited as Colonel Bailey suggests by providing for their exercise only "to the extent considered necessary by the Deputy Commissioner."

Paragraph 24.

14. Mr. Young is inclined to agree with Colonel Bailey that the closure of the bamboo forests during the rains is very desirable, but thinks that the powers taken in paragraph 26 (1) of the record are all that can be expected.

15. He does not think that the grant to village communities of one-fourth of the gross income derived from the sale of trees should be withdrawn. Mr. Anderson has given sound reasons for maintaining it as heretofore. The separate correspondence on this subject contains Mr. O'Brien's views, in which the Financial Commissioner concurs. Nor is he prepared to advise Government to summarily deprive the Raja of the management of the forests in the Kutler taluka. He thinks it would be unwise to prevent the Deputy Commissioner from delegating in certain cases his power of giving permits for cutting trees to selected lambardars.

Paragraph 27.

Paragraph 33.

Paragraph 34.

16. He does not consider that draft Rule 4 at page 33 of Appendix I requires amendment, or that the two additional rules proposed by Colonel Bailey are required. Forest fires, which the first of these is intended to check, are not common in Kangra. Nor does he think any definitions of "cattle grazing" and "grazing" necessary. "Cattle" would presumably have the meaning which is attached to it in Act I of 1871, subject to any modifications arising from existing practice.

Paragraph 32.

17. A further report has been called for from the Commissioner of Jullundur as to the management of the Dharmsala and Kareri forests by the Dharmsala Municipality.

18. Paragraphs 71 to 78 of the report deal with the forests in the four large jagirs. The following additional remarks furnished by Mr. Anderson as to the Goler forests may be useful:—

"The late Raja Shamsher Singh of Goler was a great forester, and the miscellaneous scrub jungle of Goler was excellently preserved under him. No closing was required, and with ordinary care closing will not be necessary if the cutting of green wood is prevented. The present Raja, however, has not the same interest or the same authority in regard to the forests, and perhaps it may become necessary to close."

The draft Notifications relating to the undemarcated protected forests of Siba and Goler at page 17 of Appendix I require amendment. The words "to be hereafter termed undemarcated protected forests" may be struck out, and the words "except the forest and waste land already declared demarcated protected forest by Notification No. of " inserted in their place. The draft Notification regarding the Nadaun forests is correct, as there are no demarcated forests in that jagir (see paragraph 75 of the report) but the Financial Commissioner would omit the seven last words.

19. The Financial Commissioner thinks that Mr. Anderson's settlement of this long pending question is as good as could possibly have been effected and that he is entitled to much credit for his thorough and efficient treatment of it. And subject to the modifications noted in paragraphs 9, 10 and 18 he recommends his proposals for sanction.

No, 1594, dated Jullundur, 28th May 1888.

From—W. M. Young, Esquire, Commissioner and Superintendent, Jullundur Division,

To—The Senior Secretary to Financial Commissioner, Punjab.

In compliance with the instructions conveyed in your letter No. 1145, dated 28th February last, I have the honor to forward a letter No. 592, dated 5th May, from the Deputy Commissioner of Kangra, containing Mr. O'Brien's opinion on Mr. A. Anderson's report on the forest settlement in the Kangra Valley, and to submit the following remarks:—

2. *Paragraphs* 1 *to* 4.—Mr. Anderson begins his report by explaining the position of affairs when he took up his work. The history of the Kangra forests up to 1869 is contained in Mr. Lyall's Settlement Report. Since then the demarcation started by Mr. Roe, Settlement Officer, and carried out by Mr. Duff, Deputy Conservator of Forests, has resulted in the notification of 9,710 acres in Tahsil Nurpur and 11,066 acres in Tahsil Dehra as reserved forest under section 34 of the Forest Act. These areas were acquired for Government in full proprietary right, subject, however, to conditions which neutralize the value of the acquisition. For one of the conditions was that there should be no further closing of forest waste or demarcation in the villages in which the forests are situated without the consent of the people. Hence Mr. Anderson concludes (paragraph 13) that the forest areas of these villages cannot be dealt with under Chapter IV of the Act, and that the only available method of preserving them is to make rules under section 75 (*c*) of the Act. I am not sure of the correctness of this conclusion. No doubt the Government would be precluded by the terms of its agreement from exercising the power of closure conferred in section 29 (*b*). But I do not think this fact affects the general powers conferred by the chapter, to the exercise of which there is no special bar. The same question arises in regard to eight villages of the Kangra Tahsil (paragraph 12) in which Government relinquished its right to close forests in 1863. An attempt to recover by negotiation the abandoned right made in accordance with the orders of Government failed (paragraph 12). This is the more to be regretted, as the forests of these villages are the most convenient for the supply of trees to tea planters (paragraph 100).

3. *Paragraphs* 5 *to* 16.—Subject to the above restriction Mr. Anderson's task was to determine the mode in which Chapter IV of the Act should be applied to the forests of the Kangra District except the Kulu Sub-Division.

The preliminary notifications which formed the basis of this enquiry are marginally noted. His proceedings cover the whole of this ground, except Chota and Bara Bangahal, known as Kothis Kohr and Sawar, which are inaccessible for the greater part of the year, and which Mr. Anderson had no time to settle (paragraph 11). The result of Mr. Anderson's proceedings has been the demarcation of 257½ square miles of

Kangra and Hamirpur Tahsils,—Punjab Government Notification No. 207 of 27th April 1885.
Nurpur and Dehra Tahsils,—Punjab Government Notification No. 208 of 27th April 1885.
Jagirs of Siba, Nadaun, Kutlehr and Goler,—Punjab Government Notification No. 209 of 27th April 1885.

forest, of which 75½ square miles is closed. This area includes the trihais or closed areas demarcated in 1859-60 in the Kangra, Hamirpur and Dehra Tahsils, mentioned in paragraph 60 of Mr. Lyall's Settlement Report. In the Dehra Tahsil, for the reason above given, it was found possible only to demarcate one protected forest. Exclusive of the trihais in the Nadaun Jagir, there has been no demarcation, but the record of rights for the undemarcated forests of this jagir has for this reason been made in careful detail (paragraph 75). In the Siba and Goler Jagirs the demarcation made in ten villages forty years ago has been preserved, and no fresh area demarcated (paragraphs 7—72). The main principle on which the demarcation was based was the separation of land to be permanently maintained as forest from land that might ultimately be brought under the plough (paragraph 16). This was in accordance with the orders of the Financial Commissioner quoted in paragraph 5. The latter class of forest lands have been styled undemarcated forests,—a term which the Deputy Commissioner considers less convenient than waste land not assessed to land revenue, the trees of which are the property of Government. But besides being less compendious, Mr. O'Brien's definition, as appears from paragraph 15 of the report, may not be sufficiently exhaustive. It will be seen from paragraph 19 that the cultivation of undemarcated forest requires the permission of the Deputy Commissioner. In the Siba, Nadaun and Goler forests the Raja's permission is sufficient (paragraph 71), but in Kutlehr it is intended that the Raja's refusal to permit such cultivation should be subject to the confirmation of the Deputy Commissioner. This is because the Raja has no right in the waste.

4. *Paragraphs* 17 *to* 98.—In these paragraphs Mr. Anderson explains the principles upon which he formed his record of rights. The form of the record was the same as that adopted in Shahpur-Kandi. There is a special record for demarcated and a general record for undemarcated forests. The latter is founded on the Rules of 1859-60, as modified by existing practice (paragraph 18). I would draw attention to the recommendation made in paragraph 23 that in the new settlement no common waste be entered in the name of any individual or assessed to land revenue without the consent, not merely of the co-sharers, but of the Forest Officer or Deputy Commissioner as representing the interests of Government. The classification of right-holders (paragraphs 26—28) is clear and well devised, and brings out the important distinctions between the rights of the proprietors and cultivators of the soil on the one hand, and personal or hereditary rights on the other. Mr. Anderson's description of the Gujars' and Gaddis' rights (paragraphs 30—36 and 80—91) will be a valuable commentary on the paragraphs of the Kangra Settlement Report relating to these races. The record of the rights of "bartan" (paragraphs 37—55) seems to be careful and thorough. The provision (paragraph 45) only allowing trees for building purposes once in four* years, which seems to me to be the only curtailment of existing practice, is sufficiently liberal, and is supported by precedent. I concur with the Forest Settlement Officer in thinking it unsafe to allow lambardars to give permission to break up waste outside demarcated forests (paragraph 59), though I regret the necessity for this interference with the development of agricultural effort. Perhaps the Deputy Commissioner might delegate the power reserved to him in many cases, and if necessary a provision to this effect might be inserted, as in the case of cutting trees (paragraph 111). I would draw attention to the suggestion made in paragraph 60 for a "Rakhas" fund. Such a fund should certainly be formed, but I think it should come out of the share of the proceeds of the forests enjoyed by the proprietors, and not be levied as a separate cess. I have had some doubts as to the proposal (paragraph 61) to withdraw the one-fourth share, if the village does not render assistance in enforcing forest rules. The provision would certainly be useful, but I think it may require legal enactment. If so, this might be borne in mind when occasion offers. If the suggestion for enhancing the share to 6 annas or 8 annas in the rupee (paragraph 62) is approved, this might be done on condition of a "Rakhas" fund being formed and of power being reserved to the Deputy Commissioner to withhold the share for default in forest management. The recommendations of Mr. Anderson in regard to—

* The record of rights paragraph 9 (5) says *five*, so the figure given in paragraph 45 of the report is probably a clerical error.
12-2-90. W. M. Y.

(1) sale-proceeds of grass in the Khalsa tappas of Kutlehr (paragraph 70);

(2) income from licenses granted by the Raja of Kutlehr to Hoshiarpur people (paragraph 71);

(3) the fixing of sheep-grazing fees in Goler and Nadaun (paragraph 75);

(4) references to the Forest Officer by the Rajas before they grant permission to break up waste land bearing trees (paragraph 77);

have my concurrence. It is, I feel sure, good policy to leave the management of the forests largely in the hands of these Jagirdar Rajas, but the last precaution will probably be found essential as time goes on. The recent transactions in Mandi show that there is ground for such an anticipation. The suggestion made in paragraph 85 regarding the framing of an estimate of the value of sheep-grazing for a term of years and a contract given to the lambardars or principal shepherds may be left for the consideration of the Settlement Officer. I concur in the views taken by Mr. Anderson of the dues taken from Gaddis by Chamba (paragraph 91), and recommend that the Raja should be asked on what ground the claim is based. The conclusion arrived at (paragraph 98) regarding the rights of tea planters in the waste is no doubt correct.

5. *Paragraphs* 99 *to* 105.—The questions raised in these paragraphs regarding supply of timber and fuel with special reference to the requirements of the tea planters deserve careful consideration by the District Officer and Forest Officer.

6. *Paragraphs* 106 *to* 110.—I think it very desirable that the forests at a distance from Dharmsala should be withdrawn from the control of the Municipality if this can be done legally. The subject is under the Deputy Commissioner's consideration.

7. *Paragraph* 114.—I concur in Mr. O'Brien's suggestion in paragraph 4 of his letter for securing a complete list of trees to be reserved under Section 29 (*a*) of the Act and seeing that the prices are adequate.

8. I have no doubt that the excellent work done by Mr. Anderson will be fully acknowledged. In my opinion it is worthy of all praise. He has had a most difficult task. The subject of forest management in Kangra has been taken up many times, but never successfully dealt with. Mr. Duff did his work right well, but the problem was certainly not solved by his efforts in Nurpur and Dehra. Mr. Anderson has taken up all the threads and has worked out, so far as was possible, a harmonious scheme applicable to the whole of Kangra proper. No part of the subject seems to have escaped him, and I believe his work will stand the test of time. I beg to bring his services prominently to notice, and at the same time to ask for an acknowledgment of the work done by Mr. Wallace, Ranger in Nurpur, and Babu Ladha Singh, Sub-Assistant Conservator, mentioned in paragraph 116 of the report.

9. In conclusion, I would cordially endorse Mr. O'Brien's request that early sanction may be given to the settlement and early orders passed on the points requiring orders. The Notifications for the Siba and Goler undemarcated forests at page 17 of the Appendices seem to require the addition of a clause referring to the Notifications for the demarcated forests as in the case of the Hamirpur Tahsil. With this amendment the draft Notifications and rules may, I believe, be accepted.

No. 592, dated 5th May 1888.

From—E. O'Brien, Esquire, Deputy Commissioner, Kangra,

To—The Commissioner and Superintendent, Jullundur Division.

I have the honor to reply to your letter No. 682, dated 1st March 1888, calling for my opinion on Mr. Anderson's Report on Forest Settlement in the Kangra Valley.

2. Your letter did not indicate on what points my opinion was required. My office does not contain the instructions given to Mr. Anderson for making the forest settlement. I could not form an opinion as to whether the settlement was made according to the instructions. I have therefore directed my observations only to the question whether the settlement is a fair one between Government and the people. I have consulted the Revenue Extra Assistant Commissioner and Ladha Singh, the Sub-Assistant Conservator of Forests. I visited many of the forests in Nurpur, Dehra, Hamirpur and Kangra Tahsil and in the Jagirs of Siba and Nadaun with the people, and heard the views of the people on the subject, which were expressed very freely. I have read through several of the Forest records made by Mr. Anderson, and lastly, I have read through the whole report and appendices with Mr. Lemarchand, the Deputy Conservator of Forests, and have had the advantage of discussing it paragraph by paragraph with him.

3. The general result is that 363 blocks with a total of 143,995 acres have been demarcated. There is besides a large area of undemarcated forest area which, for the reasons given in paragraph 15 of the report, could not be taken into the forest areas. The word undemarcated forest is rather bewildering. A better description would perhaps have been waste land not assessed to land revenue the trees on which are the property of Government. The chief distinction for our present purposes is that demarcated forest is to be permanently maintained as forest, and undermarcated forest may, under certain restrictions, be cultivated. Mr. Anderson has arranged for conserving the trees in both the demarcated and undemarcated forests by proposing that both should be declared protected forests under Chapter IV of the Forest Act, and has prepared draft Notifications 1—14 in the first appendix to the report.

4. The draft Notification on page 18 declares what trees should be reserved under Section 29 (*a*) of the Forest Act. This list of trees should be checked by the Forest Department to ensure that no valuable trees have been omitted. The Department should, I think, check the list of zamindari prices of trees attached to each of the records of rights. The prices certainly do seem too low even when the fair claims of the zamindars are taken into consideration.

5. In paragraphs 17 to 99 Mr. Anderson describes how he has defined the rights of Government and the people respectively. This has been done by making a record of rights for each forest. Every claim was heard and disposed of by separate order, and a reference to the record of rights in each forest will enable every possible claim, objection or dispute that may arise to be decided. These separate forest records of rights will be very useful to the courts and to the executive officers. The result of these separate records will be found abstracted in Appendix III under the heading record of right-holders. A reference to the first entry in the record of right-holders for Tahsil Kangra, Forest Rattung, will show with what care and minuteness this record has been made. One learns at a glance what village, what tikas and what individuals have rights in this forest, in what parts of the forest the right-holders may exercise their rights, and how some have full rights, others can only cut wood for torches or wood for burning the dead, and a separate lot can only graze their cattle for two-and-half months in the year. Though I found many discontented persons whose claims had been rejected entirely on good grounds, it was admitted the rights were accurately recorded.

6. The separate records of right for each forest was rendered complete by a general record of rights for the whole of each of the four tahsils of the Taluka of Kutlehr and of the three jagirs of Siba, Goler and Nadaun. These are placed before the record of right-holders in Appendix III. These are very clear and fair both to Government and the people, and for the whole there is the authority of old custom of the two settlements or of special orders.

7. I found two sets of people discontented with the forest settlement. First, those whose claims to rights in special forests were rejected by the Forest Settlement Officer. These were usually contested and were thoroughly thrashed out. Second, those persons who objected to any demarcation at all. Nothing will ever satisfy these people. They desire to cut wood for all purposes and of all kinds at all times and wherever they please. They wish for no restriction on lopping or firing everywhere. I have found all such claims to be unreasonable, *e. g.*, Mr. Anderson has demarcated some small forest of 200 or 300 ghumaos and has left all the country round free for the use of the people. They have ample grazing and supplies of wood for all purposes, yet they object verbally to this small restriction. All the objections of this kind are without reason.

8. The people have practically acquiesced in the demarcation. It was made known to them as described in paragraph 56 of Mr. Anderson's report. He further supplied each lambardar affected with a copy of the record of rights. Many objections were made to me verbally, but very few were in writing, and, as far as I know, no appeal has been made against any of the orders of Mr. Anderson.

9. I think that the settlement made is eminently fair both to Government and to the people, and is really a masterly work. I trust that sanction to the whole settlement will not be delayed much longer, and that orders will soon be passed on the particular points requiring the orders of Government. If more delay occurs the expense that has been incurred in making the settlement will have been wasted, for it will be very difficult for the local officials to pick up the threads where Mr. Anderson has left them, and the more time that expires between his demarcation and the laying down of the boundaries by permanent marks the greater fear there is that the latter operation will not be made according to the demarcation and that disputes will arise.

10. I have sent a copy of Mr. Anderson's report to the Municipal Committee of Dharmsala for any remarks that they may like to make regarding paragraphs 106—10, and if they send any remarks I will forward them. This, however, is no reason for delaying the sanction to the forest settlement. Mr. Rivaz has already in his letter No. 1027, dated 1st August 1886, reported that the management of the forests in Dharmsala and Kareri is not successful, and the matter will be separately decided.

No. 320 C. L., dated 25th July 1888.

From—Lieutenant-Colonel F. Bailey, R. E., Conservator of Forests, Punjab,

To—The Senior Secretary to the Financial Commissioner, Punjab.

In reply to your No. 1146 of the 28th February last, I have the honor to submit a memorandum giving my opinion on Mr. Anderson's Kangra Forest Settlement Report.

2. I regret the delay that has unavoidably occurred. It was caused by my having in the first instance to refer the report to the local Forest Officer, and subsequently, to my having to write my annual report.

Note on the Kangra Forest Settlement of 1887, by Lieutenant-Colonel F. BAILEY, R. E., Conservator of Forests, Punjab.

I PROPOSE to follow the order of the report, taking up in succession each paragraph that requires notice, and referring to the appropriate appendices. The paragraphs of the "Kangra Record of Rights" [Appendix II (1)] will be alluded to as R. (1), R. (2), &c.

2. *Paragraphs* 7, 8, 9 *and Appendix I* (1 *to* 14).—The total area now demarcated is 143,905 acres, or about 225 square miles, which, together with 32½ square miles of reserved forests in Nurpur and Dehra, make up 257½ square miles, or not quite 10 per cent. of the total area of the district, omitting Nadaun, in which demarcation has not been carried out: 75¼ square miles only are closed against grazing and other rights. The above is not, however, the entire area to which it is sought to afford some kind of protection; for, with certain exceptions, the whole of the undemarcated and unassessed waste and forest lands are, like the demarcated areas, to be brought under the provisions of Chapter IV of the Forest Act. I am unable to ascertain the aggregate area of undemarcated waste and forest land to be thus dealt with. If the statements in Appendix I (1) and Appendix I (2) are correct, the number of blocks in Kangra and Nurpur should apparently be 192 and 31, and not as stated in paragraph 7. The average area of the blocks now demarcated is somewhat short of 400 acres, there being a considerable number, principally old *trihais*, which do not measure more than a few ghumaos, and at least one of less than an acre. This is, of course, very much against efficient supervision, though the actual amount of difficulty to be anticipated in each case will depend on the situation of the block with reference to village sites and cultivation, and to other forest and waste land. I would ask whether it is not even now possible, in some cases at any rate, to extend the present demarcation, so as to embrace large and more continuous stretches of forest. It would prove a great advantage if this could be done.

I think it is impossible. W. M. Y.

3. *Paragraphs* 12, 100 *and Appendix I* (8), *I* (21).—The Forest Settlement Officer is, I submit, under a wrong impression when he states that, before a forest can be declared "protected" under Section 28 of the Forest Act, the Government must have a right to close in under Section 29 (*b*) of the Act. Section 28 says that the Local Government may declare the provisions of Chapter IV applicable to any forest land or waste land "which is not included in a reserved forest, but which is the property of Government, or over which the Government has proprietary rights, or to the whole or part of the forest produce of which the Government is entitled." There is nothing whatever about the Government being obliged to have also the right to close. Section 29 (*b*) says that Government may close a portion of a protected forest in which trees have been reserved, "provided that the remainder of such forest be sufficient, and in a locality reasonably convenient for the due exercise of the rights suspended in the portion so closed." The closure is therefore a perfectly separate question to be dealt with after the protected forest has been constituted, and there appears no reason why the areas referred in these paragraphs should be treated differently from the other forests and waste lands of the district. I suggest therefore that they be now dealt with in the same manner as the other lands and that, if possible, they be demarcated. I may observe that four-fifths of the areas already demarcated are not closed, and that demarcation in these villages would consequently in no way involve closure. In fact, the tracts evidently cannot be closed, but their demarcation would at any rate serve to protect them against being broken up for cultivation.

Modified on reading correspondence. W. M. Y.

4. *Paragraphs* 13, 14, *and Appendix I* (9), *I* (10), I (21).—The same arguments apply. I can see no reason for dealing exceptionally with these lands. In paragraph 14 the Settlement Officer says that further "demarcation" of 38 villages in Dehra was barred by the agreement made in 1875, but in paragraph 13 he says it was an agreement not to "close"; and further on in paragraph 14, he adds that Government most gratuitously abandoned its right to "close in rotation." It seems probable, then, that the agreement related to the closure only, and that there is nothing to prevent demarcation either here or in the 21 villages of Nurpur.

5. *Paragraph* 16.—The Forest Settlement Officer says that the great principle of his demarcation has been the separation of land that was to be "permanently maintained as forest" from land that might ultimately be brought under the plough. I have no intention, at this stage of the proceedings, to solicit a reconsideration of the orders passed by Government regarding the *status* to be assigned to the forests now demarcated; but I ask permission to again record my opinion that the provisions of Chapter IV of the Forest Act are insufficient to secure the permanent maintenance as forest of areas gazetted under it. This is principally because there are no powers similar to those given in Sections 13, 14 and 22 of Chapter II of the Act, and because in protected forests there is less power to protect from fire than in reserved forests.

I have nothing to say on this. The matter has received full consideration. W. M. Y.

6. *Paragraphs* 15, 16, 19, 59 *and R.* 27 (2).—The principal practical difference between the demarcated and undemarcated forests is that in the former the extension of cultivation is prohibited; whereas in the latter land may be cleared with the permission of the Deputy Commissioner. I trust that the Deputy Commissioner may be requested to take the advice of the District Forest Officer before granting permission to break up land in undemarcated forests; for, since the demarcated areas have necessarily been selected with reference to village and tika boundaries, instances will almost certainly arise in which it is undesirable to break up land so as to further isolate them.

See remarks in paragraph 4 of my letter. I don't agree.
W. M. Y.

7. *Paragraphs* 25 *to* 29, 95, *and R.* (4), *R.* (5).—The Settlement Officer defines, in the clearest possible manner, the principle on which above rights can be claimed. He says that they belong to the people in virtue of their acceptance of the revenue settlement; that they were in some cases deliberately, in others "unconsciously," taken into consideration in assessing the revenue; that the contract, however, was made only with the cultivators who pay revenue; and that the only ground upon which rights can be claimed is the payment of revenue.

He then proceeds to record the following classes of right-holders, *viz.*:—

1st Class.—(*i*) The proprietary body of the villages and tikas in whose name the common waste is recorded in proportion to the revenue paid.

(*ii*) Their agricultural tenants.

He adds that for any one to come under this class he must fulfil two conditions,—(*a*) he must be the *owner* of cultivated land assessed to revenue; (*b*) a share in the common waste must be appendant to that land.

The tenant does not enjoy the right apart from his relation to the proprietor.
W. M. Y.

But the agricultural tenants are not owners of cultivated land assessed to revenue, and it appears therefore that they cannot claim user except through the right of the proprietor, who may either exercise his right himself in virtue of the revenue he pays, or may permit his tenant to exercise it for him. In no case can the land carry a double servitude in virtue of a single revenue payment.

2nd Class.—The purchasers of waste (only) who are "not entitled to the forest rights formerly enjoyed by the seller," who have "no right to trees at zamindari rates, nor to lop trees, nor, in short, to any forest produce." This class is said to consist of the owners of waste land (unassessed) who pay no revenue. How then, it may be asked, can they possibly be turned into right-holders? Not only do they not qualify as right-holders by the standard quoted at the commencement of this paragraph, but it is expressly stated that they have no rights of any kind. In the face of the Forest Settlement Officer's definition of the basis on which alone rights can be claimed, and of what has just been stated regarding this class of persons, I cannot do otherwise than strongly object to their inclusion among the right-holders. I understand that under this class come most of the recent settlers in the Kangra Valley, who have acquired waste land and laid out tea gardens.

Reference to paragraph 4 (2) of the record of rights shows that these persons only exercise the rights mentioned within the areas of which they are proprietors.
W. M. Y.

3rd Class.—(*i*) All revenue-payers who have been accustomed to exercise rights in the *demarcated* forests.

(*ii*) Their tenants. As regards tenants, the observations made under the 1st Class apply to them with equal force.

4th Class.—(*i*) Those who have rights in the *undemarcated* waste the test being the exercise of the rights.

(*ii*) Their tenants.

(*iii*) Non-agricultural residents who have been allowed "as an act of grace and on sufferance" to graze "a few" cattle, collect dry wood, and cut grass in undemarcated waste. As none of these sections of class (4) pay any revenue, I must object to them altogether. It seems impossible that they can have any rights. If they are now to have rights conferred upon them, then the basis on which the claim to rights stands must apparently be altered.

See paragraph 4 (last two clauses) of record of rights which sufficiently safeguards the privileges.
W. M. Y.

8. *Paragraphs* 29 *and R.* 6.—The Forest Settlement Officer goes on to say that "forest rights have thus been allowed only to proprietors of revenue-paying land and their tenants," and he adds that "the basis of the settlement is that rights are appendant to cultivated land paying revenue, and can be acquired and alienated only with such land, and should be exercised only in proportion to the area cultivated and the revenue paid." I beg to repeat that rights can apparently at most be recorded in favour of proprietors *or* (not *and*) their tenants; and to observe that, in view of the remarks I have offered in the previous paragraph, I am unable to follow the Forest Settlement Officer in his conclusion as to this part of his work.

See above.

W. M. Y.

9. *Paragraph* 30.—Some further grounds appear required to show why rights are given to Ban Gujars and Gaddis. These rights are said not to be appendant to cultivated land, but to be "personal rights of a hereditary nature."

These questions have been dealt with at settlement.

W. M. Y.

10. *Paragraph* 31 *and R.* 7 (*a*), *R.* 30.—I understand that the quantity of harar, bahera and mohwa fruit in the forests is considerably increasing, many young trees having sprung up and commenced to bear. The value of this concession is therefore an increasing one, and it seems doubtful whether it is necessary to perpetuate it, at any rate to the full extent contemplated.

It is not a concession, but has been taken into account in assessing the revenue.

W. M. Y.

11. *Paragraphs* 31, 112, *and R.* 7 (*b*).—I submit that the people are strictly entitled to sell their labour only, and not the wood and grass that they carry; and that they should only be allowed to collect for the supply of camping-grounds, and not for towns, such as Dharmsala, Kangra, Haripur, Nurpur, Kotla, Jowali, Gangatha, Pathankot (in Gurdaspur), or indeed for any towns or villages.

The record of rights seems to me quite sufficiently stringent on this point.

W. M. Y.

12. *Paragraph* 32 *and R.* 3 (1).—I regret very much it has not been found possible to fix some limit to the extent to which pasture must be provided from the forests. I ask attention to what is said in paragraph 29 of this note regarding the large increase that has taken place in the number of sheep. It appears almost certain that the flocks of goats have multiplied in an equal degree, and if the people are given rights to graze an unlimited number of these animals, the permanent maintenance of the forests they use as their grazing-grounds is evidently a very long way from being secured.

See suggestion in paragraph 85 of the report.

W. M. Y.

13. *Paragraphs* 37, 41, 55, *and R.* 3 (2), *R.* 3 (3).—The Forest Settlement Officer doubtless meant to say that the claim is for trees for building and other purposes of a purely agricultural *and domestic* nature. I believe it to be undisputed that the lambardars have exercised no control of any sort in the so-called district forests of Kangra and Hamirpur; and that the theory that they have restricted their gifts to crooked and unsound trees cannot be sustained. In the "record of rights," paragraph 3 (2) and 3 (3), I wish to say "receive" (not "take") trees and other articles of forest produce.

The words 'subject to the conditions hereafter detailed' sufficiently restrict the word 'take.' I would let it stand.

W. M. Y.

14. *Paragraph* 38 *and R.* 11.—I do not think the people should be allowed to take dry trees without permission. There is always a temptation to manufacture them, and after a fire the number is commonly very large. To allow the villagers to take dry trees without permission is to offer a premium on burning the forests.

Sufficiently provided for by paragraph 11 (*e*) of record of rights.

W. M. Y.

15. *Paragraphs* 40 *and Appendix I* (15).—The marginal heading should be "priced and unpriced *green* trees." I agree that there are some objections to making the list of priced trees so long; but I do not see my way to reduce it. One reason of this is that the distribution of species is not everywhere the same; and that trees which might be left unpriced in some localities without much harm being done are of great importance in others.

16. *Paragraphs* 41, 42, *and R.* 14, *R.* 16.—I regret to have to express my conviction that, in the forests not directly under this Department, no control of any sort has hitherto been exercised as regards the felling of trees, green or dry; the people have, I have good reason to believe, cut whatever they pleased without restraint. I observe that, the Forest Department (whether properly authorized is not stated) having for years allowed lambardars in Hamirpur to give marked chil trees for certain purposes, it is now proposed to extend this procedure to the whole district. This may perhaps be wise; but I feel sure that the arrangement will not have a fair chance of success

unless the forests and waste lands are completely handed over to the Forest Department to be managed under Financial Commissioner's Circular No. 11 of 1888; for I very much fear that the lambardar will continue the cipher he has hitherto proved to be as regards control. The check that the Forest Department will be able to exercise by getting the trees to be given by him previously marked by a forest subordinate of low grade will not be a very effectual one. Mr. Lemarchand desires to add kakaru, harar, mohwa and bahera to the list of trees that may not under any circumstances be cut for burning the dead.

Yes.
W. M. Y.

17. *Paragraphs* 43 *and R.* 17, *R.* 18.—I would prefer here, as elsewhere in the record to name the Deputy Commissioner and not the Forest officer. In these matters the Forest Officer is under the control of the Deputy Commissioner, who will, as a matter of course, authorize him to act by general or special instructions. Trees granted under paragraph 17 of the record of rights should, I consider, be paid for at least at half zamindari rates; ultimately full rates may be charged.

Very well.
W. M. Y.

Let the rule stand.
W. M. Y.

18. *Paragraph* 44 *and R.* 6.—It should be clearly laid down that the right to receive trees at zamindari rates is limited to the number required, on proved necessity, for repairs or rebuilding; and that right-holders who ask for trees are liable to have their buildings inspected, in order to ascertain whether or not the quantity of timber demanded is really necessary. It should further be distinctly laid down that right-holders can only claim the quantity of wood actually required for the purpose for which it is given, and not, as in a recent case, an excess amount, by means of which they may be enabled to pay for the conversion of the timber, or the erection of their houses.

See record of rights 19 (4), which seems sufficient.
W. M. Y.

19. *Paragraphs* 45, 46 *and R.* 19, *R.* 20.—These rules are, I think, excellent. In the last clause the Forest Settlement Officer proposes to give trees only once in four years, but in paragraph 19 (5) of the record of rights he mentions five years. The latter would be a suitable interval. The Deputy Commissioner should exercise extreme strictness in the giving out of trees, and whenever he thinks it necessary to grant a larger number at zamindari rates than that stated in paragraph 19 (1) of the record of rights, he should be required to record his reasons for so doing. Again, it must be clearly understood that both proprietors and tenants cannot claim rights on the same revenue payment.

Probably five was meant.
W. M. Y.

Yes.
W. M. Y.

Sufficiently asserted in the record of rights, paragraph 19.
W. M. Y.

20. *Paragraph* 47, *R.* 8, *and Appendix to Record of Rights.*—I propose the following changes in the rates to be charged to zamindars for priced trees, *viz.*:—

I do not support these rates. The result will be a break down in the system.
W. M. Y.

Chil, large	... Rs. 2	instead of	Re. 1
Harar	... Re. 1	„	As. 8
Box	... Rs. 4	„	Rs. 2
Oak, large	... Rs. 2	„	As. 8
„ small	... Re. 1	„	As. 4
Rajain, Bahera, Mohwa, Kikar, Mulberry	Re. 1	„	As. 4
Maple, Silver fir, Rhododendron	As. 8	„	As. 4

Bamboos should be sold at 8 annas, and not 4 annas, per hundred, elsewhere than in Kutlehr and Bakara. This is the price that has, I am informed, always been charged for them. Instructions in the sense of the second clause of paragraph 8 of the record of rights should now be issued to the Revenue Settlement Officer, under Section 49 of the Land Revenue Act (XVII of 1887), regarding the prices to be charged for trees and other forest produce, or the assessment to revenue of any of the existing rights.

The Settlement Officer will have to consider this question, and report his proposals.
W. M. Y.

21. *Paragraphs* 48, 101, 103, 104, 105, *and R.* 20.—The Forest Officer should draw up a price list showing "market rates" for all classes of forest produce, and should obtain the consent of the Deputy Commissioner to it, and to any changes which it may subsequently be necessary to make in it. The rates should, as suggested, vary with the locality. I agree with the Forest Settlement Officer's proposals regarding the price to be charged for oak trees, and also

I agree.
W. M. Y.

that the price of *tos* should be raised. Rupees 5 to Rs. 10, according to distance, is not at all an excessive rate. It is much to be regretted that, owing to insufficient and inefficient establishment and other causes, the grants have not been as carefully watched as was necessary, and it is perfectly true that most of the near forests have been worked out. The first step is, as the Forest Settlement Officer says, to mark trees for felling at a distance; and this is of special importance for the supply of Palampur, where denudation is going on rapidly. Mr. Anderson correctly observes that the more distant forests must be worked, not only because they are being denuded and require rest, but also because higher forests can be more safely worked than those near villages which are burdened with grazing and other rights.

I think it very unlikely that the planters will, under any circumstances, make roads to get out their wood; but the question of their being made, where necessary, by Government should be reported on by the District Forest Officer.

22. *Paragraphs* 50, 51, 52 *and R.* 10, *R.* 24.—The right of lopping is very largely excercised, and it is most necessary to place it under restriction. The proposed rates seem good. Lopping has, I notice, been unrestrained, except by an indefinite rule, and by the feeling of the people that trees should not be mutilated. "The people not infrequently say that they may take the leaves, but only with their hands, not with an axe; and this is the rule in Native States, though even there it is not strictly enforced." The Forest Settlement Officer goes on to say that Rule 22 of the Revised Rules of 1860 lays down that no one may take a cutting instrument into a Government forest except when he has been been permitted to cut wood; but that as the rule was not enforced, lopping with the axe having been permitted as early as 1861, the lopping of trees (with the axe I presume) "must therefore be admitted as a customary right." I feel it my duty to protest against this conclusion. The people understand that trees are not to be mutilated; they not infrequently say that they may take leaves with their hands only; such is the rule in the Native States, and the Rules of 1860 actually laid down that axes could not be taken into the forests, otherwise than under a permit to cut wood. It appears to me perfectly unnecessary to admit this most injurious practice as a customary right, and I trust that a rule under Section 31 of that Act may be introduced to expressly forbid it. If it be admitted that laxness, by negligent subordinates or otherwise, in the strict enforcement of rules of this kind, is to give rise to a right, in spite of such circumstances as those above stated, there is indeed but small hope for the permanent maintenance of forests which are not protected by Section 22 of Chapter II of the Forest Act. I am satified that it is perfectly impossible to enforce the rules that Gaddis are not to be allowed to lop except for kids. Mr. Lemarchand desires to add kakaru, to the list of trees that may not be lopped for any purpose whatever.

We must not make more changes in existing practice than are necessary.
W. M. Y.

W. M. Y.

23. *Paragraph* 57, *R.* 26, *and Appendix I* (16).—The *trihais* though theoretically liable to be opened in exchange for other areas have now been closed for many years, and the Forest Settlement Officer says it may be presumed that the rights of the people are sufficiently provided for elsewhere. Where the *trihais* are to form parts of larger demarcated forests, there will probably be no objection to open them at the appropriate time; but as regards detached *trihais*, if the placing of them under Chapter IV of the Act is to involve their being open at the end of 20 years, I think I should prefer their remaining as they are. I am glad to see that power is to be taken to close portions of undemarcated as well as of demarcated forests; but such closure implies delimitation, and I do not quite know how the one third of an undefined area is to be located. Rights of way and water should of course be provided for; but it may not be necessary in all cases, when closing a forest, to leave open *all* ways and water, and it should be said that they will be provided *to the extent considered necessary by the Deputy Commissioner.* If this be not done, the effect of closure might be nullified, a closed area being intersected by a perfect net-work of rights of way.

Rights, cannot be so limited.
W. M. Y.

Paragraph 58.—I feel compelled to protest against the relinquishment of the right to close the bamboo forests, merely because it "was deliberately abandoned by an officer of the Forest Department," there being nothing to show that he was authorised to abandon it. The Forest Settlement Officer says that it was once customary to close all bamboo forests in the district during the rains; and that the custom still obtains in Kutlehr, Siba and in Goler, as well as in those forests of Hamirpur where the soil belongs to Government. The custom was observed in Nurpur up to 1873-74, and the advantage of closure would, as Mr. Anderson says, be great. I am strongly of opinion that power to close every where should be retained. This is another prominent instance of the necessity, if permanent maintenance be aimed at, of applying Section 22 of the Forest Act. If it be impossible otherwise to secure that rights are not parted with in this manner, then I do not see what hope there can be for forest conservancy in this district, for such instances are sure to be repeated in the future.

I am inclined to agree with Conservator. But the power taken in paragraph 26 (1) of the record of rights is sufficient.
W. M. Y.

25. *Paragraph* 60, *and R.* 28.—A more satisfactory arrangement than at present exists is required as regards the pay of Forest watchmen.

26. *Paragraphs* 61, 62, *and R.* 30.—The grant to village communities and servants of one-fourth of the gross income derived from the sale of trees was a voluntary one, made in order "to secure their interest and co-operation in forest conservancy." I am not surprised to learn that the people have come to regard it as a malikana, for this accords with experiences of similar arrangements elsewhere. It is a repetition of the history of this district, and of most if not all others,—a history which shows that Government has freely parted with its rights on almost every occasion on which they came under consideration. The Forest Settlement Officer, in his paragraph 14, says that Government "gratuitously abandoned" its right to close in rotation; and I trust it may be possible to avoid further abandonment in some at least of the directions proposed in the present report. In paragraph 62 it is said that in the past the people "have not given much active assistance in conserving the forests." I do not think it is too much to say that they have given no assistance at all; and I ask permission to urge strongly that, either the grant may be altogether withdrawn, or that it may be made in those cases only where assistance of a marked and conspicuous kind has been afforded.

The Settlement Officer gives good reasons for maintaining it.
W. M. Y.

27. *Paragraphs* 67 *to* 74.—The management by the Raja of the forests of the Kutlehr taluka has not proved satisfactory; he has, I am informed, no ancestral connection with the land, and I propose to do away with his management. It is worthy of note that in Kutlehr the proceeds of the sale of grass from *trihais* can be given to him, but that elsewhere in the district the proceeds of such sales have to be made over to the people; also that as "an act of pure grace" the right to one-half the sale proceeds of timber has been conferred on the Rajas of Nadaun, Goler and Siba.

This is rather summary.
W. M. Y.

28. *Paragraph* 83 *and R.* 10.—I fully agree that the rule requiring Gaddis to "move on" should be enforced, though I do not quite see how this is to be accomplished.

29. *Paragraphs* 85, 86 *and* 87.—The Forest Settlement Officer says that the zamindars complain that shepherds who pay only a few annas of land revenue graze hundreds of sheep and goats free. He suggests that at the new revenue settlement the value of the grazing in the villages be estimated for a period of years, and a contract given to the lambardars or principal shepherds, who would collect the dues from all who grazed, whether residents of the village or not. The contract money would of course be paid to Government; but whether to the Forest Department or not I am not sure. Instructions on this subject should, I suggest, now issue to the Revenue Settlement Officer, under Section 49 of the Land Revenue Act. It is said that there has certainly been an increase in the number of sheep. I believe it to be a fact that the increase has been immense, and it is certainly desirable not only that property of this kind should come under assessment, but also that the rate of the grazing tax should be increased. Considering the rate charged in the tirni districts, one anna a head would be a moderate fee, as the quality of the pasture is here so much better than in the plains.

Instructions should issue, I think, but not under Section 49, Punjab Land Revenue Act.
W. M. Y.

30. *Paragraph* 95.—It is said that, where Government still retains its right to the trees, the waste land has been put under Chapter IV of the Act; and that the owners of the land (planters) come under class (2) of right-holders, and can exercise over the waste in their possession the rights admitted to that class. I ask reference to paragraph 7 of this note, where I have objected to this class of right-holders.

See note thereon.
W. M. Y.

31. *Paragraphs* 97, 98, 45.—I understand that the supply of timber to planters at zamindari rates is to be "limited to the amount that would by custom be demandable by a peasant proprietor holding the same amount of revenue-paying land;" and that not only are planters not entitled to trees at zamindari rates for fuel, packing cases and building factories or barracks for coolies, but that they are not entitled to trees for the building and repair of their own dwelling houses, except to the extent that would be necessary were their houses of the ordinary peasant's pattern. This is right.

32. *Paragraphs* 106 *to* 110.—I am strongly of opinion that the recommendation made in paragraph 109 should be at once accepted, and that the Dharmsala Municipality should no longer be allowed to have anything to say to forests lying outside municipal limits. I beg to suggest that early orders on this subject might advantageously issue.

No further reference on this subject has been received. Commissioner, Jullundur, should be addressed.
W. M. Y.

33. *Paragraph* 111.—I certainly think it a pity that the subject of paragraph 18 of the record of rights, which might, as the Forest Settlement Officer says, have been left to executive orders, should have been made to form a part of the record of rights. To do this may give satisfaction to the people, but it unnecessarily ties the hands of Government. My own opinion is that the Deputy Commissioner will do well not to allow lambardars to grant permission to cut trees, as this would be equivalent to the surrender of all control over the fellings.

It would not be wise to refrain from utilizing the lambardars, whenever this can be done.
W. M. Y.

34. *Appendix I.* (18), (19), (20).

Rule 4.—The phrase "except as provided in the forest record of rights, no person other than a right-holder, &c.," might perhaps be changed to "with the exception noted in paragraph 9 of the record of rights, no person, &c."

I would let the rule stand. W. M. Y.

Rule 5.—The words "of a hath or more in girth" should be cut out, with reference to paragraph 14 of this note. I desire to add a rule, under Section 31 (*h*) of the Act, to the effect that the carrying or kindling of fire in any forest for the purpose of taking honey, or for any other purpose, is prohibited between the 1st March and the setting in of the rains. I also desire to add a rule that no one may carry an axe in any forest, except under cover of a permit to cut wood.

See note *in loco*. W. M. Y.

Forest fires are not common in Kangra. W. M. Y.

See above. W. M. Y.

35. *Appendix III.*—My remarks on the "Kangra Record of Rights" are intended to apply equally to those for other tahsils. With regard to the "right in certain villages under a special agreement with Government," *see* paragraph 3 of this note.

36. *Record of Right-holders.*—I ask consideration of paragraphs 7 to 11 and 30, 31 of this note with reference to the persons whose names appear in the schedule. In the absence of any information as to the classes of right-holders to which they belong, I am unable to offer any further remarks on them. I understand "forest rights" to mean all those mentioned in the "record of rights," but that, where any right is specially mentioned, it is the only one to be enjoyed by the right-holder. I suppose "cattle grazing" implies the right to graze kine, not buffaloes; and that where "grazing" only is mentioned, it is intended to record the right to graze kine, sheep and goats. It would be well if this were somewhere clearly stated.

See margin *in loco*. W. M. Y.

I do not think any definition is necessary. Cattle would, I presume, have the meaning attached to it in Act I of 1871, subject to any modifications arising from existing practice. W. M. Y.

No. 2044, dated 17th December 1889.

From—R. H. C. Whittall, Esquire, Conservator of Forests, Punjab,

To—The Senior Secretary to the Financial Commissioner Punjab.

I have the honor to forward, in original and for favour of return, the marginally-noted correspondence for your consideration as regards the Kangra Forest Settlement now before Government, and with special reference to paragraphs 61 and 62 thereof.

Deputy Conservator, Kangra, No. 121 C., dated 23rd September 1889.
Deputy Commissioner, Kangra, No. 1356, dated 28th October 1889.
Deputy Conservator, Kangra, No. 156 C., dated 4th December 1889.

2. I would remark that I entirely agree with the opinion expressed by Mr. Lemarchand that this grant from the revenue realized from unclassed forests should be discontinued in those cases where it can be proved that the people do not give, and in the past have not given, any assistance in forest conservancy.

No. 121 C., dated 23rd September 1889.

From—F. O. Lemarchand, Esquire, Deputy Conservator of Forests, Kangra Forest Division,

To—The Conservator of Forests, Punjab.

I have the honor to enclose a statement showing the proportions of the revenue (realized from unclassed forests) paid to zamindars in the Kangra and Hoshiarpur Districts, and with reference to it I beg to bring the following to your notice:—

(*i*) The proportions differ in every locality, and it is almost impossible to check the monthly payments made by the several disbursers to the zamindars. If these payments are to be continued some uniform proportions should be fixed for each tahsil, or each district, under each head of revenue, *viz.*—

(*a*) sale of trees;

(*b*) sale of grass;

(*c*) grazing.

(*ii*) The following are the amounts paid in cash to zamindars (AV) during the past three years from the revenue realized from unclassed forests:—

	Rs.
1886-87	3,727
1887-88	2,626
1888-89	3,108

The value of free grazing, fuel, fodder and trees for building purposes bamboos, fruits and dyes, &c., are not included in the above figures.

(*iii*) In paragraph 61 of his Forest Settlement Report, Mr. Anderson says—" this is not malikana paid in recognition of their (zamindars,) property in the soil, but is a voluntary grant made to secure their interest and co-operation in forest conservancy. If the village does not render assistance in enforc-ing forest rules, his grant can, and should be, taken away as a punishment. To withdraw the grant generally would be considered by the people an unjust proceeding, for it is regarded by them as a malikana."

2. As a revised settlement of the Kangra District is now in progress, I think the Government might be asked to consider whether this voluntary grant, averaging over Rs. 3,000 annually, should be continued. I certainly do not consider that we have any assistance from the people in enforcing forest rules, except as regards forest fires, and the assistance rendered by the people in extinguishing fires when they do occur is not because of the share they received from the revenue of these forests, which is a very small item when divided over the entire village communities, but because of the punishment they are liable to under the rules of 1855, which provides for the fining of the entire village. Mr. Anderson states that in the past the people have not given much active assistance in conserving the forests. Many of those who share in the income live so far away that they never use the forest, and have no interest in it. The income is divided over the whole village, without regard to the question whether the recipients have ever exercised any rights in it, and are therefore likely to assist in its maintenance. I do not think the people *en masse* will care in the least whether this voluntary grant is withdrawn or not; for each individual's share is extremely small. In many cases the people actually get none of it. The money is paid to the lambardars, who distribute it as they think proper. The lambardars may object to the withdrawal of the grant.

Statement showing details of Zamindars' share in Forest Revenue in the Dehra and Nurpur Ranges.

District.	Tahsil.		Locality.	Produce from which share is allowed.	Rate of share.	Authority.
Kangra District.	Dehra ...	1	Villages in which there are reserves.	Gaddi sheep grazing in shamlat wastes.	(*a*) $\frac{1}{3}$	Mr. Duff's robkar, dated 1st April 1875; sanctioned in Punjab Government No. 221 of 15th July 1875.
Kangra District.	Dehra ...	1	Ditto ...	Sale of trees in the shamlats.	(*b*) $\frac{1}{3}$	Mr. Duff's robkar, dated 1st April 1875, and Forest Setttement agreements of February and March 1875.
Kangra District.	Dehra ...	2	Villages in which there are no reserves.	Ditto ...	(*b*) $\frac{1}{4}$	Ditto ditto ditto.
Kangra District.	Hamirpur	1	Over the entire tahsil	Sale of trees from all forests.	(*b*) $\frac{1}{4}$	Paragraph 27 of Mr. Melvill's Rules of 1860.
Kangra District.	Hamirpur	1	Ditto ...	Grass in *trihais* or closed area.	(*c*) whole.	Paragraph 13 of Punjab Government No. 298 of 20th July 1883.
Kangra District.	Nurpur ...	1	Six villages in the Jaggatpur Taluka from which reserves were taken.	Gaddis' sheep-grazing in the shamlat of these villages.	(*a*) $\frac{1}{4}$	Mr. Duff's robkar of 24th March 1872; sanctioned in Punjab Government No. 221 of 15th July 1875.
Kangra District.	Nurpur ...	1	Ditto ...	Sale of trees in these shamlats.	(*b*) $\frac{1}{3}$	Ditto ditto ditto.
Kangra District.	Nurpur ...	2	Fifteen villages in which reserves have been formed.	Grazing in shamlats	(*b*) $\frac{1}{3}$	Forest Settlement agreement of February and March 1874, and robkar of 1st April 1874.
Kangra District.	Nurpur ...	2	Ditto ...	Sale of trees in shamlats	(*b*) $\frac{1}{3}$	Ditto ditto ditto.
Kangra District.	Nurpur ...	3	Villages in which there are no reserves.	Ditto ditto ...	(*b*) $\frac{1}{4}$	Paragraph 27 of Mr. Melvill's Rules of 1860.
Kangra District.	Nurpur ...	4	Andora village alone	Grazing of Gaddis in the Andora Taluka.	(*a*) Rs. 25 per annum.	Mr. Roe's and Mr. Duff's agreements of 1872-74.
Hoshiarpur.	Una ...		Lahore, Dharien and Punjul tappa.	Sale of trees from shamlats.	$\frac{1}{2}$	Paragraph 13 of Mr. Roe's Forest Settlement of 1872. Sanctioned in Punjab Government No. 240, dated 12th June 1883.
Hoshiarpur.	Una ...		Ditto ...	Grazing revenue ...	All	Paragraph 19 of Mr. Roe's Forest Settlement of 1872. Sanctioned in Punjab Government No. 240, dated 12th June 1883.

KANGRA.

(*a*) Sheep grazing, Gaddis' flocks—
Dehra Tahsil $\frac{1}{3}$
Nurpur $\frac{1}{4}$, $\frac{1}{3}$ and Rs. 251 } to zamindars.

(*b*) Sale of trees—
Dehra Tahsil $\frac{1}{3}$, $\frac{1}{4}$
Hamirpur $\frac{1}{4}$
Nurpur $\frac{1}{3}$, $\frac{1}{4}$ } to zamindars.

(*c*) Grass in *trihais*—
Hamirpur Tahsil—all to zamindars.

No. 1356, dated 28th October 1889.

From—E. O'Brien, Esquire, Deputy Commissioner, Kangra,

To—The Conservator of Forests, Punjab.

With reference to your No. 1495, dated 10th October 1889, forwarding a letter from the Deputy Conservator of Forests, Kangra Division, for an expression of my opinion, I have the honor to reply as follows.

2. I beg to remark that a settlement of the forests in this district was made by Mr. Anderson, who reported on his settlement in 1887, and his report still awaits the orders of Government. In the 61st and 62nd paragraphs of his report Mr. Anderson refers to the share of the forest income which is now paid to the villages. In the 61st paragraph he made a definite proposal. The local Forest Officer and the Conservator of Forests reviewed that proposal. It would have been well if any suggestions had been made then.

3. Mr. Lemarchand proposes first to fix some uniform proportion of the forest revenue for each tahsil to be given to the villages, and then, as far as I understand him, he proposes that it should not be given at all.

4. It is provided in Rules of 1859, paragraph 27, that one-fourth of the income from the sale of timber should be paid to the villages, and I am not aware that this has been altered in this district. Mr. Anderson in the paragraphs of his report above alluded to certainly writes as if a uniform share of one-fourth was given to the zamindars throughout the district. If the share has been altered, it would seem from the remarks in the statement which accompanies the Forest Officer's letter to have been done by special agreements of the Forest Department, or Mr. Anderson has made definite proposals. As far as I understand, where any forest area is closed to gazing, the villages receive the whole of the income from grass, or definite proposals have been made by Mr. Anderson. If there is not a uniform share fixed for each tahsil, the Forest Officer has not shewn that any inconvenience has arisen from the want of uniformity beyond the difficulty of checking the monthly payments to the zamindars. I do not know how any difficulty should practically arise. The share is known everywhere in the cases of sale of trees, of grass and of grazing. You know your income and also the share to be paid to a village. It is a simple division sum to check whether the payment made to a village is correct or not. I think that the difficulty raised is imaginary, and would allow the matter of uniformity to rest or to wait until Government passes orders on Mr. Anderson's forest settlement.

5. The next proposal of the Forest Officer is to pay the share of forest income no longer to the villages. A share has been paid at least since 1860, if not from before that. I agree with the opinion expressed by Mr. Anderson in the paragraphs above referred to, which is to be put into action in the way mentioned in the 30th Section of the Record of Rights for Kangra and of the other tahsils, according to which Government can refuse to pay the share unless assistance in conservancy is given.

No. 156 C., dated Camp, 4th December 1889.

From—F. O. Lemarchand, Esquire, Deputy Conservator of Forests, Kangra Forest Division,

To—The Conservator of Forests, Punjab.

In reply to your letter No. 1702, dated 11th November, forwarding, in original, letter No. 1356, dated 28th October, from the Deputy Commissioner, Kangra, commenting on the subject of my letter No. 121 C., dated 23rd September last, to your address, for an expression of my opinion, I have the honor to state as follows.

2. In paragraph 2 of his letter the Deputy Commissioner considers that the proposals made by Mr. Anderson, Forest Settlement Officer, and which are still pending sanction of the Government, should have been considered by the Conservator of Forests and the local Forest Officer when Mr. Anderson's report was reviewed by them. As far as I can now remember, this matter *was* discussed in Kulu, and notes were made by the Conservator of Forests; but even if this had not been done, I do not agree with the Deputy Commissioner that it is now too late after further experience of the working of this Division for me to offer further suggestions in matters connected with the forest settlement, which is still under the consideration of the Government.

3. With regard to his paragraph 3, I regret the Deputy Commissioner should have put such an extraordinary construction on the proposals I made. I certainly cannot follow his argument! What I wrote was, "*if* these payments are to be continued, *then* some uniform proportion should be fixed for each tahsil or district"; and in paragraph 2 of my letter I go on to say that "as the revised settlement of the Kangra District is now in progress, the Government might be asked to *consider* whether this voluntary grant, averaging over Rs. 3,000 annually, should be continued." The meaning of this seems clear enough to me, *viz.*, that the Government should be consulted with regard to the share of revenue (Rs. 3,000 annually) paid to the people, and if they still considered that the payment should be continued, some uniform proportion should be fixed for each tahsil or district.

4. I still think it necessary to point out that the people do *not* render the assistance in forest conservancy for which this grant was made, and Mr. Anderson was apparently of the same opinion—*see* paragraph 62 of his report. The aggregate sum paid away is a large one from the small revenue realized from the Kangra forests, but when it is divided over the entire village communities, the share to each man is so proportionately small that the gift is not appreciated, and the people consequently do not feel that they are under any obligation.

5. Letter No. 1356, dated 28th October, from the Deputy Commissioner, Kangra, to your address, is herewith returned.

The following will be found in Forest Proceedings for April 1894 under the Nos. indicated:—

Financial Commissioner's letter No 226, dated 31st March 1890 ... (11)

Deputy Commissioner, Kangra's letter No. 345, dated 10th March 1890 ... (12)

President Municipal Committee, Dharmsala's letter No. 56, dated 9th May 1888 (13)

Resolution No. IV from the proceedings of the Dharmsala Municipal Committee held on the 5th May 1888 ... ... (14)

Commissioner, Jullundur's endorsement No. 762, dated 17th March 1890 ... (15)

Plan of Arboricultural operations for Dharmsala Municipality for five years from 1888 to 1892 ... ... (16)

Abstract translation of a petition from Mian Raghunath Singh, son of Mian Shankar Singh, Jagirdar of Mauza Reh, tahsil Nurpur, district Kangra, dated 14th March 1893 ... ... (17)

KANGRA VALLEY FOREST SETTLEMENT REPORT.

History of Kangra forests prior to revised Revenue Settlement.

The history of the Kangra forests up to 1869 will be found in Mr. Lyall's Settlement Report of the district (paragraphs 60, 61 and 200), and in his note, dated 2nd March 1869, and précis and memorandum on the Kangra forests. It is necessary now to give a brief account only of what has been done since that time.

History of Kangra forests after that settlement.

2. Mr. Lyall's proposals were submitted to the Inspector-General of Forests, who did not accept them, and for some time nothing was done. The next proposal came from Mr. Baden-Powell that by exchange of rights and compensation the forest area might be arranged by consent of the people so as to present a forest area, part of which was absolutely reserved to the State, and the rest left open to village communities. As a preliminary to carry out this proposal, the forests in Nurpur, Dehra and Hamirpur tahsils were made over to the charge of the Forest Department on the understanding that the Forest Officers would administer the forest rules which were then worked by the Deputy Commissioner. The Kangra tahsil forests were not taken over by the Department, because the Conservator considered that there were no forests worth taking, as "the best had all gone to the tea-planters, or were required in the vicinity of towns and stations, and were therefore unsuited for forest purposes and available only for local supply." The Kangra tahsil forests have remained up to this time under the Deputy Commissioner.

Demarcation in 1872—1875 in Nurpur and Dehra.

3. In 1872 Mr. Roe, Settlement Officer, started work with Mr. Duff, Deputy Conservator of Forests, in Nurpur tahsil, to acquire forests free of rights, on the principles followed in Hoshiarpur. "The basis of the arrangement was that certain tracts should become the property of Government absolutely, and the Government in return should give up or considerably modify its rights in other tracts." Mr. Roe assisted in the demarcation of only six villages, and the rest of the work in Nurpur and Dehra tahsils was done by Mr. Duff alone. In order to acquire full proprietary rights in the demarcated areas, the following concessions were made to the village proprietors:—

(1) The villages should in future receive one-third, instead of one-fourth, of the sale proceeds of timber from the undemarcated waste.

(2) The villages should in future receive one-third of the grazing fees collected from Gaddi shepherds, whereas these fees had formerly been all credited to Government.

(3) There was to be no further closing of forest waste or demarcation in these villages without the consent of the people.

There were some differences between the agreements made by Mr. Duff and those of the six villages demarcated by Mr. Roe, which are given in detail in the record. The most important difference was that in the six villages the zamindari or reduced price for

trees current in 1872 should always be maintained. At that time the maximum rate for all trees was four annas each, and in future chil and other trees must be given in these six villages at this rate.

System followed found to be unsatisfactory.

4. The area demarcated on this give-and-take principle in Nurpur was 9,710 acres, in 16 blocks, lying in 21 villages: the area in Dehra was 11,066 acres, in 53 blocks; lying in 38 villages. These forests were declared reserved forests under Section 34 of the Forest Act by Notifications Nos. 111 and 112 F., dated 6th March 1879, and the enquiry now made under Chapter IV of that Act did not extend to these areas. The result of the demarcation in these two tahsils was not considered satisfactory, and the system by which Government acquired full rights in many small scattered patches and gave up the right to conserve all the rest was never extended to Hamirpur, even though that tahsil was under the Forest Department, and was according to the first proposals to be treated in the same way as Nurpur and Dehra.

Principles and notifications under which the present demarcation has been made.

5. In 1879 the Conservator proposed that the demarcation should be so done as to secure good continuous belts of forest on the slopes or crests of the hills, and on this a preliminary demarcation was ordered. The principles on which the demarcation was to be carried out were thus laid down by Mr. Lyall:—

(1) No change was to be made in present forest management of the forest land, either inside or outside the demarcation.

(2) Forest land which should be permanently maintained as such was to be separated by demarcation from forest land in which clearances for cultivation might at some time be permitted.

(3) There were to be no give-and-take negotiations with the zamindars, nor was the demarcation to proceed on the idea that the forest excluded from it would be made over to the zamindars and released from all control.

Upon these principles a preliminary demarcation was made in Kangra and Hamirpur tahsils, and in Notification No. 207, dated 27th April 1885, the Government declared its intention to constitute the forest and waste of Kangra and Hamirpur tahsils as protected forest, and ordered an enquiry into and record of the rights held by Government and private persons. The demarcation done by Mr. Duff did not extend to all villages in the Nurpur and Dehra tahsils, and the agreement made by him barring future demarcation did not apply to the whole tahsil. Moreover, even in the villages where closing was impossible, Government retained its right in the trees and also its management of the waste. In order to provide for enquiry into the rights in the waste of Nurpur and Dehra tahsils, lying outside the reserved areas, another Notification, No. 208, dated 27th April 1885, was issued.

Notification in jagirs.

6. A report was also submitted on the forests in the jagirs of Siba, Nadaun, Kutlehr and Goler, and the manner in which the Rajas had managed them. The orders on that report directed that these forests should be treated under Chapter IV of the Forest Act, and by Notification No. 209, dated 27th April 1885, an enquiry was ordered into the nature and extent of the rights of Government and of private persons in the forest and waste of these jagirs.

General result of the demarcation.

7. The general result of the demarcation will be gathered from the following statement:—

1	2	3	4	5	6	7	8
	Forests partly open and partly closed.			Forests entirely closed.		Total.	
Tahsil or Jagir.	No. of blocks.	Area open in acres.	Area closed in acres.	No. of blocks.	Area closed in acres.	No. of blocks.	Area of demarcated forest in acres.
Kangra *	95	75,820	18,524	96	2,539	191	96,883
Nurpur	32	14,131	...	...	...	32	14,131
Dehra	1	337	...	...	...	1	337
Hamirpur †	63	15,015	2,542	8	133	71	17,690
Kutlehr	23	9,016	2,752	35	1,086	58	12,854
Siba	6	1,200‡	...	...	...	6	1,200
Goler	4	900‡	...	...	...	4	900
Nadaun	...	...	...	...	...	...	...
Total ...	224	116,419	23,818	139	3,758	363	143,995§

* Exclusive of Kohr and Sawar kothis.
† Exclusive of taluka Kutlehr.
‡ These areas are mere approximations.
§ This area includes sawanas and ban-kharetars, the trees on which belong to Government, but it does not include an cultivation or assessed kharetar.

In the present enquiry forests have been demarcated in Kangra (including Palampur, but exclusive of Chotla and Bara Bangahal known as Kothis Kohr and Sawar), Nurpur, Dehra, Hamirpur and Kutlehr. The six forests in Siba and four in Goler were demarcated some forty years ago, and have been left as they were: and in Nadaun there has been no demarcation whatsoever.

Closed areas, or trihais.

8. As explained in paragraph 60 of Mr. Lyall's Settlement Report, trihais or closed areas were demarcated in 1859-60 in Kangra and Hamirpur (including Kutlehr) and in part of Dehra. These trihais remain in Kangra, Hamirpur and Kutlehr as they were originally formed; in Dehra they were either included in the reserves formed in 1875 or were given up. In this tahsil, and also in Nurpur where trihais were never formed, there are now no such closed areas. In the present demarcation as many trihais as possible have been included in the larger forests taken up. The area so included is 23,818 acres (column 4 of statement), and the area which it was found impossible to include is 3,758 acres (column 6 of the statement), in 139 scattered pieces. Some of these areas are very small, and not a few of them are almost bare of trees; still in my opinion they should be retained and considered demarcated forests under Chapter IV of the Act. They have been closed so long that the people are now put to little or no inconvenience, or at all events do not consider their closure as a hardship. Moreover, in many places they are of real use to the neighbouring villages, as fodder reserves, for the grass is sold year by year, and the people have become dependent on this supply of fodder. In the draft notification of the demarcated protected forest these closed forests have been all included. A special record of rights was not required for them as no rights exist except the one right to receive the sale-proceeds of all grass sold (*vide* paragraph 13 of Government letter No. 298, dated 20th July 1883), and this right is provided for in paragraph 30 of the record, where it is laid down that when any areas are closed against grazing, the whole income from sale of grass will be given to the village communities. This applies to the existing trihais and also to all areas which may hereafter be closed.

Total demarcated area in the Kangra district exclusive of Kulu.

9. Including the old trihais, the whole area of demarcated forest is 225 square miles in 363 blocks, and of this area, 43 square miles or almost one-fifth, is closed. In order to get the complete figures for the Kangra Valley, the area of reserves in Nurpur and Dehra (*vide* paragraph 4 of this report) *viz.* 20,776 acres, or almost 32½ square miles, in 69 blocks, should be included; so that the total area of reserved and protected forests in the Kangra Valley is 257½ square miles, of which 75½ square miles are closed against grazing and other rights.

Cultivation included in forests.

10. In the demarcation a considerable area of cultivation and of waste over which special rights are exercised has been included. As far as possible such land was excluded, but where a large area of forest would have been given up, the cultivation or grass land has been left inside the limits of the forest as a chak. In the record for each forest, a detail is given of such land, and the continued exercise of the right has been provided for.

Enquiry not made in Chotla and Bara Bangahal.

11. In Kangra tahsil the enquiry has not extended to Kothis Kohr and Sawar, which lie far back on the main range, as I was transferred before this tract, which is inaccessible for the greater part of the year, could be settled. Suggestions were made by the Deputy Conservator, Chamba Division, for the demarcation of 5,400 acres at the head waters of the Ravi, but the forests are not of much importance: the population is small, and little or no damage is likely to result from the postponement of the demarcation to the time of settlement of the tract.

No new demarcation in eight villages of Kangra.

12. In paragraphs 8 and 9 of the Joint Report on the Kangra Forests it was pointed out that Government had in 1863 relinquished its right in eight villages to close forest for purposes of reproduction, and in paragraph 11 of the Government letter No. 298, dated 20th July 1883, passing orders on that report, authority was given to recover by negotiation the abandoned right. The negotiations have entirely failed. The village communities would not accept money, and I did not press that form of compensation; but they were more ready to accept full proprietary rights in the trees of some part of the waste. In one or two villages the agreements were almost completed on this basis, but it was ultimately found impossible to secure the consent of all the parties interested. The people know that the right to close would be exercised in the forests lowest down, in which they have most rights, and they were naturally most suspicious and unwilling to put themselves into the hands of the Revenue and Forest Officers.

Bandla.
Kasmal.
Bagotla.
Lanod.
Dewal.
Paprola.
Bhattu.

In the eight villages given in the margin no forest waste can be closed; and as before a forest can be declared protected under Section 28 the Goverment must have a right to close it under Section 29 (*b*), I have not demarcated any forests in these villages. It has been suggested that all the waste in these villages should be declared protected forest, because Government would never under the circumstances act upon Section 29 (*b*). It seems

however, that Government should have the right to close, and that it certainly has not got. The waste in these eight villages cannot be declared protected forest, and has been expressly excluded in the draft notification; but the Government right to the trees has been recorded, and rules for their preservation will be framed.

No new demarcation in 21 villages of Nurpur and 38 villages of Dehra.

13. In the 21 villages of Nurpur and the 38 villages of Dehra, referred to in paragraph 4 an agreement has also been made never to close. In these villages there has been no new demarcation and the waste cannot be put under Chapter IV.

Rules framed under Section 75.

The rights which the people have in these 67 villages of Kangra, Nurpur and Dehra are practically the same as those enjoyed in other villages, but there are certain privileges in these 67 villages which have been referred to in paragraph 3. As the trees belong to Government, rules for their preservation can be made under Section 75 (c) of the Forest Act, and a draft notification is submitted.

Demarcation in Dehra tahsil.

14. In the Dehra tahsil it was found possible to demarcate only one protected forest. Reserves had been formed in 38 villages, and further demarcation in these villages was barred by the agreement made in 1875. These villages contain the most of the waste, and, however large the area undemarcated, it cannot now be preserved except by rules under Section 75 of the Act. The give-and-take policy which was carried out in this tahsil was not a success. Before 1875 the area of trihais was 14,985 ghumaos. Of this 12,466 ghumaos were taken into the reserves, and 2,519 ghumaos were thrown open. The demarcation in 1875 consisted in taking up 2,289 ghumaos, which was added to 12,466 ghumaos closed area, making a total of 14,755 ghumaos. The result was that, while Government retained its rights only in an area equal or somewhat less than the old trihais, it most gratuitously abandoned its right to close in rotation. The large wastes of this tahsil were given up simply to acquire a right of permanently closing an area over which Government had already acquired full rights, and which was already closed. It was once proposed to apply the same policy to the Kangra tahsil; and if it had been carried out in the same manner the result would have been an area of 21,063 acres closed permanently, instead of which the area now demarcated and preserved as forest is 96,883 acres, and of that 21,063 acres are closed, and the rest may, should the necessity arise, be closed in rotation.

Necessity for declaring undemarcated waste protected and for its conservation.

15. Large areas of waste could not be included in the demarcation, as the cultivation was too scattered, and yet too extensive to be taken inside the forest limits. In many cases "the mauzah is in fact a forest containing hamlets in its boundaries." In some such cases, where the cultivation was small and the forest large, the whole has been considered as a forest. In most cases, however, it was found impossible to demarcate, and thus much of the most valuable forest has been left outside the limits of the demarcated areas. In Kulu and in Shahpur-Kandi the necessity for preserving such undemarcated forest has been fully shown; and in Kangra the necessity is perhaps more pressing than in Shahpur-Kandi, and it is generally admitted by those acquainted with the locality.

Extension of cultivation prohibited in the demarcated and allowed in undemarcated waste under restrictions.

16. The great principle of the demarcation was the separation by demarcation of land that was to be permanently maintained as forest from land that might be ultimately brought under the plough. The rights of Government and of the people in the undemarcated are the same as in the demarcated area, but cultivation will be allowed in the former and prohibited in the latter. In order to preserve the trees and prevent the destruction of the forest, this undemarcated waste should be declared protected forest under Chapter IV of the Act, and draft notifications have accordingly been prepared. All brushwood and trees growing on unassessed waste land were declared at the Revenue Settlement to be the property of Government, and therefore all unassessed waste may be declared protected under Section 28 of the Act.

Form of record same as in Shahpur-Kandi.

17. The orders passed by Government in its No. 401, dated 12th September 1885, on the proposed rules for the Shahpur-Kandi forests applied equally to Kangra, and these orders determined the form that the record of rights should take. The reports which I have already submitted on the Shahpur-Kandi forest and on the Kulu forests will sufficiently explain the system on which I proceeded. Shortly it was this, that the record of rights prepared under Section 28 of the Forest Act must justify and cover the imposition of all restrictions which it is considered necessary to apply. The record prepared for Kangra is in all respects similar to that for Shahpur-Kandi. In all *demarcated* forests it gives the area, the owners of the waste, the right-holders, and the parts of the forest in which they have exercised rights; a detail of the rights exercised, special rights to cultivation or to grass or grazing within the forests demarcated; the division of sheep-grazing runs. Besides this special record for each demarcated forest, a general record has been made of all rights with their

definitions and restrictions, and of all right-holders. This general record will be the foundation of any rules that may be issued, and it is applicable not merely to the demarcated, but also to the undemarcated, protected forest.

18. In all cases the special record for each forest was prepared on the spot, after recording the statements of all claimants. The general record of rights is founded on the rules of 1859-60, and on the existing customs which are not in all cases in accordance with the rules. The draft rules framed by me in 1883, and generally accepted in Government letter No. 298 of 20th July 1883, have been modified in some respects in consequence of more recent orders, and also to make them more definite and precise.

Rights in demarcated and in undemarcated forests the same.

19. It follows from the principles on which the demarcation was carried out (*vide* paragraph 5) that the rights recorded for the waste inside the demarcation should remain the same as before, and therefore the same as for the outside waste. The only difference between the two classes of waste is that given in paragraph 27 of the record of rights, which prohibits the breaking up of demarcated waste, and allows the clearance of undemarcated waste with the permission of the Deputy Commissioner. With this sole exception the record applies equally to all forests. A special record gives the right-holders in the demarcated forest, and for the undemarcated forests they have been defined in general terms.

Rights.

20. There are some slight differences in the manner in which the rights are exercised in the four tahsils, but they are practically the same in all, and in giving reasons for the record I shall, in the first instance, confine myself to the Kangra Tahsil, and show afterwards the necessity for the differences in other localities.

Property in the waste and in the produce of the waste: assessed grass land.

21. The first question for decision was, to whom do the soil and its produce belong. The record of the revised revenue settlement leaves no doubt as to the answer to be given. The waste land belongs to the village communities, and the trees, whether growing wild or planted by Government, belong to the State "with the reservation of the rights of use (bartan) belonging by custom to the land-holders of the mauzahs and others." Up to the revised settlement all trees on waste land, as well as the more valuable trees on cultivated land, belonged to Government. In 1868 Government relinquished its claim to royal trees on cultivated lands and also on lands recorded as private waste. The waste on which the property in the trees was given to the people was "garhu kharetar," or hay field lying near a man's house or among his fields. It was considered that he had almost as strong a claim to this land as to his fields, and it was accordingly declared his exclusive property and assessed at two annas a ghumao. The total assessment of the villages and tikas remained as before, and the rating on arable land was reduced by the amount assessed on the waste. In some special cases where there were many valuable trees standing on these assessed kharetars, the right of Government in such trees was reserved by an entry in the administration paper, and this might have been done with advantage in many other places, where chil have been sold to traders and considerable areas denuded.

Assessed and unassessed grass land.

22. In cases where there are many proprietors in a tika, it is usually not difficult to ascertain whether the land was assessed or not, as in the *tafrik-jama* the revenue on holdings with a large area of kharetar was shown as increased by the new rating. But a difficulty may arise when one man or one joint family is proprietor of the whole tika or where the waste has been sub-divided and is shown not as common, but as the property of an individual or of a family. When there was only one proprietor of the tika, the total revenue remained as before, whether the waste was assessed or not. In some parts of Nurpur, and probably elsewhere, the whole waste was shown as assessed, and claims have been made for the trees on the ground that the waste was the exclusive property of the claimant and was assessed. The orders passed at settlement in regard to the elimination of ban-kharetar (*vide* paragraph 186, Settlement Report) were not carried out in all villages, but it is clear from paragraphs 174 and 175 of that report that the Government right to trees on sub-divided waste was not relinquished except in the comparatively small patches known as garhu-kharetar.

23. In Hamirpur Tahsil large areas of pure chil forest, in some places almost the whole waste, was by mistake shown as assessed, even though common; but in 1872 before the sanction of Government was given to the settlement, an order was passed by the Deputy Commissioner declaring that these areas were not assessed within the meaning of the Government order giving up the trees, and that the trees continued as before to be the property of the State. This order was quite in keeping with the intention of the Settlement Officer, and might have been extended to all the tahsils. In Nurpur, and also in Kotlehr, where waste land has been recorded in the names of individuals or families, without any assessment such as Mr. Lyall intended to impose, such land has not been excluded from the forest, as the Government right to the trees remains. In Kangra, where the orders given were more carefully carried out, such cases are rare. I would suggest that in the new

settlement no common waste be entered in the name of any individual or assessed to revenue without the consent, not merely of the co-sharers, but of the Forest Officer or Deputy Commissioner as representing the interests of Government.

Rights of the people.

24. The record for protected forests refers only to the waste land the trees on which belong to Government and does not extend to fields or assessed kharetars. The Government right in the trees justified the declaration of the waste as protected forests under Section 28 of the Forest Act. But though the trees belonged to Government, the right was not absolute, but was subject to the bartan or rights of use of the people. The record then proceeds to give in general terms a list of these rights and to define who are entitled to exercise these rights and under what restrictions and conditions.

Rights of the people.

25. The existing customs form the basis of legal rights which belong to the people in virtue of their acceptance of the revenue settlement. They are not mere privileges which may be taken away at pleasure for they were in some cases deliberately, in others unconsciously, taken into consideration in assessing the revenue. The contract, however, was made only with the cultivators who pay revenue. Mere residents have no doubt been accustomed to use the waste, but only on sufferance (*vide* paragraph 14 of Mr. Lyall's note on the Shahpur-Kandi Forests). The only ground then upon which rights can be claimed is the payment of revenue.

Right-holders.

26. The first class of right-holders is the proprietary body of the villages and tikas in whose name the common waste is recorded in proportion to the revenue paid. These proprietors and their agricultural tenants are presumed to have all the rights admitted within the waste of which they are co-sharers, whether they exercise the rights or not. For any one to come under this class, he must fulfil two conditions : (*a*) he must be the owner of cultivated land assessed to revenue ; (*b*) a share in the common waste must be appendant to that land. If he sells his share in the common waste, retaining his cultivated land and paying revenue, the purchaser of the waste is not entitled to the forest rights formerly enjoyed by the seller. He has no right to trees at zamindari rates, nor to lop trees, nor, in short, to any forest produce. Such a purchaser comes under the second class of right-holders, which consists of the owners of waste land (unassessed) who pay no revenue. To these have been given the same rights as have been conferred on non-agricultural residents : they may graze their own cattle, cut grass and collect dry fuel and stones. Under this second class come most of the recent settlers in the Kangra Valley, who have acquired waste land and laid out tea gardens. Their case will be considered at greater length hereafter.

The peculiarity of the first two classes of right-holders is that they hold the rights not in virtue of their *exercising* them, but, as "an incident of their proprietorship in the soil." (Mr. Lyall's note on the Shahpur-Kandi Forests, paragraph 16).

Right-holders in demarcated forests.

27. The third class consists of all revenue-payers and their tenants who have been accustomed to exercise rights in the demarcated forests. For this class a special record has been prepared. The test for entry into it is not property in the soil but the continuous exercise of certain customs over the waste included in the forest. Hence it includes not only those who live and have land in the village or tika in which the waste is situated, but also the people of neighbouring villages who have no proprietary interest in the village over whose waste they have exercised rights (see paragraph 14, Mr. Lyall's note on Shahpur-Kandi Forests). In closing any part of the demarcated forests the rights of this class must be taken into consideration and provided for.

Right-holders in undemarcated forests.

28. The fourth class consists of those who have rights in the undemarcated waste. The test here again is exercise of the rights. No record, however, could be prepared, and a general definition has been given. Rights in this waste have been allowed to all revenue-payers and their tenants who have continuously exercised the rights. Under this class have been brought non-agricultural residents who have been allowed, as an act of grace and on sufferance, to graze a few cattle, to collect dry wood, and to cut grass in the undemarcated waste. These privileges may be exercised only for their own domestic requirements.

Payment of revenue : the test for right-holders.

29. Forest rights have thus been allowed only to proprietors of revenue-paying land and their tenants. The rights conceded to the second class of proprietors do not include any rights to trees. The basis of the settlement is that rights are appendant to cultivated land paying revenue, and can be acquired and alienated only with such land, and should be exercised only in proportion to the area cultivated and revenue paid. It follows also that the forest produce acquired in the exercise of the rights should be used only to meet the ordinary agricultural requirements of the right-holders, and not to supply the wants of tea or other industries.

30. The rights of Ban-Gujars and of Gaddis are not appendant to cultivated land.

Personal rights of Gujars and Gaddis.

They are personal rights of a hereditary nature, which are held by men having no connection with the soil. They are not exercised free of payment, like the rights of zamindars; and in the case of the Gaddis at least, the rates of grazing fees may be changed without any consideration of the land revenue settlement.

31. The rights allowed are only rights of use; but in some cases the income from

Sale of forest produce prohibited.

sale of harar and of other fruits and minor forest produce was taken into account in assessing the revenue, and to this extent a right of sale has been admitted. The supply of charcoal, wood and grass at encamping-grounds is more a matter of *begar* than of voluntary sale, but in so far as it involves a breach of the general principle that the people have no right of sale, it has been specially provided for. With these two exceptions no wood, grass, or other forest produce may be sold without a license and it rests with Government to make any charges it considers proper for the licenses.

32. The first great right claimed by the people is to graze their own cattle of all

Grazing: Gujars and their sawanas.

kinds. This is fully admitted; but in this connection it will be convenient to consider how far they may lease out the grazing to others. At the first settlement Mr. Barnes arranged that the village communities should collect the dues paid by resident and nomadic Gujars, and this item of miscellaneous income he took into consideration in assessing the revenue (*vide* paragraph 34, Mr. Lyall's Settlement Report). The people have therefore a right to arrange for the continuance of this income in all places where it has hitherto been received, and the right of the people to collect the customary dues, and of the Gujars to graze in their accustomed sawanas has been admitted and recorded. In almost all cases the common income is divided over the whole village according to the rating for land revenue without consideration of the tika in which the grazing grounds may be situated. Wherever sawanas (*see* paragraph 39, Mr. Lyall's Settlement Report) have been included in a demarcated forest, a special record has been made of their area, the graziers, the dues to be paid and the time to which their exclusive right of grazing extends. In undemarcated forests the conditions of the revenue settlement record apply as before.

33. Resident Gujars with sawanas are found almost exclusively in the Kangra Tahsil. Ban-Gujars have for many years come to the Nurpur Tahsil and to Boh in Kangra Tahsil, which places are conveniently situated for Chamba from which they come; but during the last few years they have attempted to establish themselves in other places. The rights of the people in Nurpur and in Boh have been recorded, and Ban-Gujars may as heretofore come into these localities; but they should be strictly excluded from all other places.

34. Sawanadar Gujars, whose rights have been recorded at the revenue settlement, and again admitted in the present record, may graze in their sawanas in the valley and in their dhars on the main range, subject to the conditions recorded in the revenue settlement records and on payment of the customary dues to the village communities. All Gujars, whether resident or nomadic, will be subject to the restrictions that apply to right-holders, generally. They may not erect cattle sheds on common land without permission, nor may they lop trees for fodder except within the limits fixed in the rules. The exclusive right of Gujars in their sawanas extends only to grazing, grass, and fodder leaves. The ordinary right-holders of the village may not graze or cut grass during the three or four months of the "thak," but they may take fuel, or leaves for manure, or trees for building or other purposes.

35. On the main range in the Kangra Tahsil many claims were made for exclusive

Grazing on the main range.

rights of grazing on certain dhars, both by residents of the villages in which the dhars are situated and by outsiders. A reference to the record of demarcated forests in Drini, Boh, Kareri, Narwana and Kaniyara will show that certain members of the village communities had divided the grazing among themselves, and in many cases leases have been given to residents of other villages. This sub-division has not been recognized, and orders have been passed that the lambardars and other influential villagers have no right to grant leases of the grazing. The income derived from these leases rarely, if ever, reaches the poorer members of the proprietary body, who complain that their grazing is restricted without any compensation. The people generally were opposed to the admission of outside cattle: and in this they should be supported. Moreover at the revenue settlement (*vide* paragraphs 39 and 185, Settlement Report), all exclusive claims were disallowed except those of the Gujars. The order expunging entries from the revenue records has not been in all cases carried out: and in the forest record for Kangra Tahsil a special note on this point has been added, as civil courts are apt to accept the revenue record without reference to the Settlement Report.

36. At settlement Government reserved to itself the right to manage the sheep-graz-

Rights of Gaddis independent of village communities.

ing and to collect the dues from the Gaddi shepherds. The Gaddis hold the lease of their runs direct from Government, and are independent of the village proprietors, who

have no claim for dues or for manure, and may not eject them from the unassessed waste. The rights of Gaddi shepherds will be considered hereafter: the subject is touched upon here only that it may be seen that zemindars have no power to prevent their grazing in the common waste.

Rights to trees for fences, fuel, building, &c.

37. The next great claim is for trees for building and other purposes of a purely agricultural nature. The claim has been admitted subject to many restrictions. The rules at present in force in the Kangra Valley are the Rules of 1855, supplemented by the Revised Rules of 1860. In the latter rules it is laid down that no trees of any kind may be cut without permission, that the permission of the lambardar is sufficient for inferior trees required *bonâ fide* for agricultural or domestic purposes, and that the proprietors of land and hereditary cultivators are entitled to cut and appropriate whatever timber they require for building and agricultural purposes on payment, and trees unfit for timber as fuel and their leaves as fodder without payment. In practice, lambardars have never given trees for building purposes, for which application has always been made to the Deputy Commissioner; but they have given crooked and unsound trees for burning the dead, and for funeral and marriage ceremonies, and perhaps occasionally for agricultural implements, for making charcoal, and for machans or platforms for watching crops. The rules have not been enforced with the same strictness all over the district. In Nurpur there was more laxity than nearer Dharmsala or Kangra. The people, however, generally admitted that lambardars could give *chithis* or permits only for brushwood for fencing, for marriage (*shadi*) and funeral (*ghami*) ceremonies. For the actual burning of the dead, trees have been in almost all places cut without permission.

Dry trees.

38. In the record now prepared rules have been made (1) for dry brushwood and trees, (2) for green brushwood, (3) for unpriced trees, (4) for priced trees. The conditions under which dry trees may be cut are in accordance with the existing practice, or, if they differ from it, they are more favourable to the people. It has hitherto been customary to sell large dry standing trees, and I was inclined to prohibit the cutting without permission only of trees three feet in girth. The Forest Officer, however, did not agree with me, and pointed out that people might ring or burn trees in order to dry them. Some limit was necessary, and it has accordingly been recorded that dry trees of a hath (18 inches) in girth at the ground may not be cut without permission, but their branches may be lopped.

Green brushwood.

39. For green brushwood it has been laid down that it may not be cut without permission, that it rests with Government to decide whose permission is necessary, and that for the present the lambardar may give the permission, subject to the condition that if he is unfit to exercise this authority or abuses it he may be removed by the Deputy Commissioner. This is in keeping with the actual practice of some years ago, and theoretically it is admitted as a rule in most places, but it has not been strictly enforced anywhere. In 1864 an order was passed by the Commissioner that there should be no restriction whatsoever on the cutting of brushwood; but fortunately the order was not made generally known, and certainly was not acted upon. In almost every village a man who wants to cut any large quantity of brushwood asks the permission of the lambardar or of the rakha. It is most important that the under-growth on the lower hills should be protected. It is unnecessary now to dwell on the evils of denudation. The restriction recorded is of the very mildest kind. It may perhaps not be of much value as a check, but it asserts a right belonging to Government, and it may hereafter be found useful. To require the permission of the Tahsildar or of the Forest Officer prior to cutting brushwood would raise a storm of opposition, and the restriction as now recorded will, in my opinion, be sufficient in most places to prevent denudation, and will even tend to the reclothing of bare hill-sides. It is, under any circumstances, an improvement on the present indefinite state in which no one knows what the law is.

Priced and unpriced trees.

40. A list has been prepared of the more valuable trees, which, when suitable for building, are given only on payment. The list contains 62 species, 22 of which are found mostly on the main range in the Kangra Tahsil, and 40 in the miscellaneous hard-wood forests on the lower hills. There are many objections to the reservation of so many species by the payment of a price, and I shall be glad if the Forest Department will strike out the less important or less valuable trees. At the same time it has to be remembered that many of the Kangra forests consist almost exclusively of poor hard-wood trees, and that some check on their consumption is necessary in order to prevent extravagant waste and denudation.

Trees not cut without permission except for burning the dead.

41. As a general rule, no trees, whether priced or unpriced, have been cut without some sort of permission. To this there is only one exception in favour of wood for burning the dead. For this purpose unpriced trees are cut if they are handy; if not, then unsound priced trees. A record has been made of the trees which have not hitherto been cut for burning the dead, and their future use for this purpose has been prohibited. The only restriction now imposed on the exercise of this right is that as soon as the trees have been cut notice must be given to the forest watchman.

42. It rests with Government to decide whose permission is necessary prior to cutting the priced and unpriced trees. After much consideration rules have been framed which provide for the supply of all the wants of the people through the lambardars, with the single exception of timber for building purposes. In places where unpriced trees are available lambardars may grant permission to right-holders to cut such trees for fuel, charcoal, agricultural implements and machans. But there are many parts of the district where there are few or no unpriced trees, notably in the western half of Hamirpur Tahsil, in parts of Kutlehr and in some villages of Kangra Tahsil, where the forests are almost pure chil. Also on the main range there are scarcely any trees suitable for agricultural implements except the oak. In Hamirpur, where there is an almost total absence of unpriced trees, the Forest Department has for years allowed lambardars to give marked chil trees for agricultural implements, charcoal, funerals and marriages, and it is now proposed to extend this procedure to the whole district. In no case, however, will lambardars have authority to give trees of the priced kinds until the Deputy Commissioner has ascertained that unpriced trees are not available. As a further check, which will be most necessary on the lower hills, the Forest Officer will have the trees, which lambardars may give, marked, and wherever trees have been so marked the *chithis* of the lambardars will cover the felling only of these marked trees.

Authority given to lambardars to allow trees to be cut for certain purposes.

43. Under the existing rules claims cannot be made for free grants of trees fit for timber, but when, in the absence of unpriced trees, lambardars have been allowed to give priced trees for certain purposes, no price has been charged. In Hamirpur the demand has in consequence largely increased, and it may be expedient at some time to impose a price on trees given under paragraph 17 of the record. The Deputy Commissioner may in his discretion charge the zamindari price in full or in part, and this discretion might be exercised in places where the lambardar has been too lavish in his grants, and first of all a price might be charged for trees for all marriage and funeral ceremonies, upon which the people are willing to spend large sums of money.

Priced trees may be given free for certain purposes.

44. No limit on the number of trees that may be given for building purposes at zamindari rates or nominal prices has ever been imposed in the three tahsils of Nurpur, Hamirpur and Dehra, which are under the Forest Department; nor has any necessity for such a limit ever arisen, as the demand has never been large. But in the Kangra Tahsil generally, and especially in the Palampur Sub-division, where most of the European population is to be found, the demand has for several years been very great, and a limit was required to prevent excessive fellings. The rule introduced was that one tree should be given at zamindari rates for every rupee of revenue paid. This rule has not been found to work satisfactorily for the forests. Large land-owners got to think that they had a right to this supply of timber year by year, and even when the trees were not required. Again, trees which had been given for agricultural purposes only were used for tea boxes and charcoal, and for building shops; and claims for trees at zamindari rates for these purposes have also been made.

Limit to trees at zamindari rates for building.

45. An attempt has now been made to define somewhat more closely the limits within which trees for building purposes may be given. The first rule proposed is that in no case should the number of trees exceed 25, whatever the revenue paid, and that of this number not more than 10 may be chil. This is a liberal estimate of the timber required for an ordinary zamindar's house, and that is the extent of the right. The Deputy Commissioner may, however, in his discretion grant a larger number of trees; but in my opinion he will rarely require to exercise this discretion. The rule only limits the number of trees to be given at zamindari rates. If a larger amount of timber is required, the trees may be given, but full market rates should be charged for them.

Again, when trees are claimed on account of revenue paid in several villages they will be given in proportion to the revenue paid in each village. This rule is necessary, because a small patch of cultivation is sometimes acquired in a village merely to get a right to trees from the forests of that village.

Right-holders have a claim only to one suitable and convenient building, such as is ordinarily found among cultivators. If a proprietor sells a piece of ground, the new settler has no right to receive timber for a new house. As a rule, therefore, no new settler should get trees at zamindari rates unless he has acquired the complete holding of the seller.

No claim can be made for the maximum number of trees. The right extends only to a sufficient amount of timber for agricultural buildings, such as ordinarily exist among right-holders, and on this point the Deputy Commissioner's decision should be final.

There has been a tendency to claim trees year by year, but the claim has not been admitted in the past. In order to facilitate this most difficult part of forest management it is now proposed to give trees for building proposes only once in four years, except for special cause shown. This rule has been introduced in Murree-Kahuta, and will be found of immense use in Kangra. As the number of applications will be fewer, it will be possible to make full enquiry into the necessity for the trees; and moreover, when the trees have been granted, there will be ample time to see that they are properly used.

Double zamindari rates charged when trees are taken to another village.

46. It is often the case that the same person holds land in several villages, but has a residence only in one village. The village in which he lives may have no forests, and he claims trees from forests in other villages where he has rights. In Government letter No. 87, dated 15th February 1866, to the Secretary to Government, Public Works Department, it was suggested that when a village area does not contain the wood required by its inhabitants for building purposes, and they have to procure it from other villages, they ought to pay a higher rate, though not perhaps the full market value. Again, at settlement Mr. Lyall suggested (page 252, Settlement Report) that agriculturists of other villages should pay twice as much as the agriculturists of the village in which the forest is situated. I presume that both these suggestions apply only to cases in which the applicant has a *right* to get trees in the village in which the forest exists. Mr. Lyall's rule was not carried out fully anywhere, and not at all in the Kangra Tahsil. The rule is eminently fair, and is, moreover, in strict accordance with the basis of the zamindars' rights. The right to trees at low rates is attached to cultivated land, and the house should be built in a place suitable for the cultivation of the land, that is, within the village limits. When the right was admitted at settlement it was not customary for cultivators to have houses and land in several villages, and it was not intended that timber should be carried from one village to another. Again, when forests are closed for reproduction, the residents in the village are put to inconvenience, not those who live elsewhere: and the latter should be made to pay somewhat more for their timber as a means of preventing waste and unnecessary fellings. It is to be noted that the rule applies only to those who have rights in several villages. It does not allow any cultivator to claim trees at double rates from a neighbouring village, from which he has never in the past got trees and in which he pays no revenue.

Price of trees for right-holders.

47. Trees were given free for building and other purposes up to 1856, when 4 annas per tree was fixed, and this price was continued by the Revised Forest Rules of 1860. This rate was considered a maximum, and many inferior trees were given free, or at as low rates as 3 pies each, while the best chil cost only 4 annas. This continued up to 1873, when, in order to prevent waste of the more valuable timber trees, the rates were increased for 21 species (Government letter No. 437 F., dated 6th November 1873), and these new rates have remained unchanged up to this time. These zamindari prices have been practically guaranteed during the period of settlement (see Financial Commissioner's No. 837, dated 18th August 1876, to the Secretary to Government), and this guarantee has been embodied in the present record. At the new revenue settlement Government may charge such a price for trees or other forest produce as it may consider proper, but the people are entitled to exercise the rights now admitted, and the most that Government can do is to assess these rights to revenue as part of the assets of the villages.

In the list of priced trees now given as an appendix to the record of rights, the prices fixed in 1873 have been adhered to for the 21 species, and 4 annas has been fixed for all other trees.

Market rates.

48. It has hitherto been customary to fix the merchant or market rates for trees. The market rate for chil was Rs. 8 per tree. This high price has had a good effect in preserving young growth, but, in other places removed from roads and water-carriage, the price was too high to allow traders a reasonable profit; and in consequence no trees were bought. This has now been changed and rates fixed for the forests, *e.g.*, in Hamirpur, with regard to the locality. In the whole district the determination of the proper price for merchants should be left to the Deputy Commissioner and the Forest Officer, who will fix the price with regard to the state of the forest and the means of extraction of the timber.

The price fixed for traders will also be paid by right-holders who require more trees than the limits imposed by the record will allow them, and also by all residents or others who have no rights.

Period within which timber should be removed.

49. The permits or licenses for the removal of trees remain in force under existing rules for six months. This period is too long in the case of ordinary zamindars, and it is too short for merchants and planters who have to remove a large number

of trees, or have only the summer months for work on the main range at high elevations. It is proposed therefore to fix the period at three months for trees given at zamindari rates, and not to have any hard and fast rule for others. The Forest Officer may fix a reasonable time with the merchants or planters when the purchase is arranged.

Lopping for fodder and for manure.

50. In the Kangra Valley it is customary to lop trees for various purposes, but the claims made have generally been for leaves for fodder and for manure. The people value the right very highly, and the state of all the miscellaneous hard-wood deciduous forests shows that the right is largely exercised.

Existing rules on the subject.

51. In revised Rule 7 it was laid down that the leaves of trees unfit for timber might be taken as fodder by right-holders, and in 1861 an order was passed allowing the lopping of all trees except chil under the supervision of the lambardars, as high as a man with an axe in his hand could reach. In 1869, Mr. Lyall wrote as follows on this subject:—"The custom of lopping small side branches of trees whose leaves are used for fodder should be legalized. I do not know that it has ever been authoritatively forbidden; it certainly has never successfully been stopped, but it is understood by the foresters and people to be forbidden, and the shepherds and people are put to much inconvenience in consequence. The trees thus used are most of them of no value, some of them of a little value. A list of the trees which can be lopped for fodder and rules for the lopping should be made out and proclaimed." This was never done, as the proposals made at the revenue settlement were not accepted by the Forest Department, and lopping has been unrestrained except by the indefinite rule and the feeling of the people that trees should not be mutilated. The people not unfrequently say that they may take the leaves, but only with their hands, not with an axe, and this is the rule in Native States, though even there it is not strictly enforced. This is probably founded on Rule 22 (revised Rules of 1860), which lays down that no one may take a cutting instrument into a Government forest, except when he has been permitted to cut wood. This rule has never been enforced, for as early as 1861 lopping with an axe was permitted. The lopping of trees must therefore be admitted as a customary right, but it is specially a right to be restricted as far as possible. The restrictions now recorded refer (1) to the size of the tree; trees of 18 inches in girth or less may not be lopped: (2) to the size of the branch to be cut off; it may not exceed 18 inches in length and a finger in thickness: (3) the height to which the tree may be lopped; it may not be lopped above half its height. These restrictions are all founded on traditionary rules which the people have themselves referred to. They may be somewhat elaborate and difficult of application. They are, however, necessary, as it has been found impossible to restrict the lopping to certain species as proposed by Mr. Lyall. As a fact, when I began to prepare lists, I found that scarcely a tree escaped lopping for some purpose or other. I have given in the record a few trees that are not lopped, but it was necessary to admit the right to lop all others. The only means of preventing damage was to restrict, as far as possible, the extent to which the trees might be lopped.

The new rule applies to Gujars and Gaddis as well as right-holders.

52. The rule limiting lopping will apply to Gujars in their sawanas and also to Gaddis in their sheep-runs, as well as to resident right-holders. Numerous complaints have been made of the damage done by the Gaddis, and I can confirm the partial correctness of the complaints. The sparseness of the undergrowth has driven the shepherds to lop the larger trees, and damage has undoubtedly been done, for which the blame has often been ascribed to the villagers. The Gaddis do not require, and should not be allowed, to lop except for kids, and in lopping for them they must observe the same restrictions as the people generally.

Leaves for tanning and other purposes.

53. Akin to lopping is the removal of the leaves of amil and dhau (or chal) for tanning purposes, but in this case only the leaves are taken. The leaves of the elephant and other creepers are also removed for making vessels for food, umbrellas, and the roofing of machans.

Removal of bark prohibited.

54. Besides the leaves of certain trees, chamars also require the bark of the amaltas for tanning, but they can always supply their wants from trees on fields or hedge-rows. In no case may the bark of green trees on waste land be removed. This prohibition applies specially to the chilor or bark of chil, which is often used by blacksmiths in place of charcoal. Lambardars may, however, allow the removal of the bark of the taur and other creepers for thatching purposes. This restriction was perhaps unnecessary from the forest point of view, as creepers are injurious to trees. On the other hand, the leaves and the bark are of great use to the people, and in their interest it has been proposed that the removal of the bark be subject to the permission of the lambardar.

Restrictions on other rights.

55. Besides the special rights the restrictions on which have been considered in detail there are many other rights of a less important nature from the forest point of view, but of great value to the people, such as right to cut grass, to remove dry leaves,

edible fruits and roots, plastering earth and many others. On these no restrictions have been imposed. All the rights mentioned in paragraph 3 of the record may be freely exercised, except in so far as the record has laid down conditions for their exercise.

Record made known to people.

56. A draft of the proposed record of rights was sent to the Tahsildars, who were directed to explain the provisions to the people. Wherever reasonable objections were made, they were considered, and, when necessary, a change was made. But the objections made were mostly of a nature that showed that the people did not understand the record: and it is not likely they will fully understand it until it has been acted on for some time. Now, they do not understand what is allowed and what is prohibited, and they sometimes are afraid to do what is not forbidden. When the new record has been acted on and its provisions have become known, the alarm that now exists, and which has on some occasions led the people to oppose the demarcation, will disappear, and they will then discover that their rights have not been interfered with.

Closing of forests.

57. The closing of forests might have been left without reference in the record of rights; but certain conditions have been recorded for the satisfaction of the right-holders. The conditions would have been observed even though not recorded, as the provisions of Section 29 (*b*) must be complied with. A draft Notification has been prepared under this section in which all existing trihais are included; and as they have been closed for many years, it may be presumed that the rights of the people are sufficiently provided for elsewhere. Many of these trihais form part of larger forests which should, as far as possible, be closed in rotation; but not a few are detached pieces of forest with no demarcated waste adjoining them. In these latter areas no rights have been recorded, as they are not now exercised: and at the end of 20 years, or when it is proposed to throw them open, the question will arise what, if anything, should be taken up in their place. By that time there will probably be a new Forest Act, in which no limit for closing will be imposed. But if there is still a period fixed as in Section 29 of the present Act, these trihais may still be kept closed as no rights have been recorded in them.

Closing bamboo forests.

58. It was once customary in this district to close all bamboo forests during the rains, and the custom still obtains in Kutlehr, Siba and Goler, and in the forests of Hamirpur, the soil of which belongs to Government. In Nurpur also it was observed up to the demarcation of the reserves in 1873-74, since which time there has been no restriction. It was proposed that the old custom should be again introduced, and in Nurpur especially, where the most valuable bamboo forests exist and are conveniently near Pathankot, the advantage of securing their growth would have been great. It does not however, seem advisable to re-impose after so many years a restriction which was deliberately abandoned by an officer of the Forest Department. The custom has, however, been maintained in all other places where it now exists. To this closure the period of 20 years does not apply, as rights have been recorded subject for all time to this restriction.

No extension of cultivation except with the permission of the Deputy Commissioner.

59. In the first draft of rules submitted by me it was proposed that lambardars should be allowed to give permission to break up bare waste not included in any demarcated forest. I had a difficulty in framing any definite rule which would sufficiently protect the open waste from being indiscriminately brought under the plough: and further enquiry and consideration have convinced me that it would not be safe to give the lambardar any authority to grant leases to break up the waste. He would have great difficulty in being fair to all the shareholders, even if he was perfectly impartial, and that is more than can be expected. Excessive inconvenience might be caused by allowing a piece of grazing land to be enclosed and cultivated: there would be a tendency also to get trees cut down on waste fit for cultivation merely in order that a lease might be given. After full consideration it has now been proposed that no undemarcated waste may be broken up or cleared for any purpose without the permission of the Deputy Commissioner. This rule will, it is believed, be best both for the people and for the forests.

Pay of forest watchmen.

60. One of the conditions under which the right-holders enjoy their forest rights is the maintenance of the establishment for watching the forests. At present the rakhas receive a small quantity of grain from every house. They have great difficulty in realizing their dues, and only the lowest castes will in consequence become forest watchmen. Nothing can be done under the existing settlement to remedy this defect; but I would suggest that at the new settlement a small percentage on the revenue should be collected to form a fund for the pay of the rakhas. If this is not considered possible or desirable, their pay should be fixed in cash as in the case of the chaukidars and lambardars made responsible for it.

61. The village communities and servants have got one-fourth of the gross income from sale of trees to be divided among the proprietors and the village servants. This was not a malikana paid in recognition of their property in the soil, but was a voluntary grant made to secure their interest and co-operation in forest conservancy. If the village does not render assistance in enforcing forest rules, this grant can and should be taken away as a punishment. To withdraw the grant generally would be considered by the people an unjust proceeding, for it is regarded by them as a malikana.

Share of income given to village communities.

62. In the past they have not given much active assistance in conserving the forests. Many of those who share in the income live so far away that they never use the forest, and have no interest in it. The income is divided over the whole village, without regard to the question whether the recipients have ever exercised any rights in it, and are therefore likely to assist in its maintenance. A share in the income has been refused by the villagers in cases where the claimants paid no part of the fine imposed on the occasion of a fire, for those only pay the fine who resort to the forest. I do not, however, propose any change in regard to the division of the 4-anna share now given; but I would suggest that 4 annas, or at least 2 annas, more out of every rupee of income from the forest be given in equal shares to the lambardar and rakha. Under the new rules they will have greater responsibility, and will deserve some remuneration if they do their duty. I do not see much advantage in giving anything to the village proprietors who really do not assist in the slightest, and any further grant will confirm them in the idea that the share in the income is given as compensation of their property in the soil. Even though half the income was given to the village communities, the sum each proprietor would get would be very small; while if the quarter share in excess of what is now given was divided between the lambardar and rakha, they would each receive something substantial.

63. In the records of the Kangra, Nurpur and Kutlehr forests, the special claims of the individuals noted in the margin have been entered, and the conditions under which they may exercise their special rights have been defined. The existing customs have in all cases been maintained as nearly as possible. The only cases of importance are those of the Raja of Nurpur and of the Mahant of Dhamtal, and for them Government has already passed orders. Sanction is required for the concessions made to the jagirdar of Reh, Raja Mankotia and the Mians of Rajer: and the reasons for the recommendations made have been given in the record. The priviliges of the jagirdar of Bir were sanctioned when Government conferred the jagir: and those of the Indaura Chaudhri were given by Mr. Barnes, and confirmed at the revised settlement. The mafi forests were given to the people of the ten villages in which land was taken up in 1863, and they are the absolute property of the village communities.

Special cases:
Jagirdars, &c.

Kangra:
(1) Mians of Rajer.
(2) Jagirdar of Bir.
(3) Private or mafi forests.

Nurpur:
(4) Raja of Nurpur.
(5) Jagirdar of Reh.
(6) Mahant of Dhamtal.
(7) Chaudhri of Indaura.

(8) Raja Mankotia in Kutlehr.

64. A general account of the forests in the four jagirs of Nadaun, Goler, Kutlehr and Siba has been given in the Joint Report submitted by Colonel Stenhouse, Deputy Conservator, and myself, and it is unnecessary to repeat what was there recorded. It is enough to show how the orders passed on that report in Government letter No. 567, dated 26th December 1884, have been carried out.

Jagir forests.

65. In accordance with paragraph 3 of that letter, 23 blocks with an aggregate area of 11,768 acres have been demarcated in Kutlehr, for the most part on the Solasinghi and Ramgarh ranges. Besides these larger blocks, which contain open as well as closed areas, there are 35 detached trihais or closed forests which could not be conveniently enlarged by the demarcation of open adjoining waste. These plots have a total area of 1,086 acres. The area now demarcated, and which it is intended to make protected forest is thus 12,854 acres, or 20 square miles. The closed area extends to 3,838 acres, of which 1,086 acres are in detached plots and 2,752 acres are included in the 23 blocks which have been now taken up.

Demarcation in Kutlehr.

66. The comparatively large area of 123 acres of cultivation has been included in these 23 forests; but almost one-half of this area is in the one tika of Boru, which has been considered as a chakban and demarcated as a whole. Many of the forests are long straggling strips, the conservation of which may be made the means of causing much trouble and inconvenience to the people. In carrying out the demarcation, I had here as elsewhere to be guided by the professional opinion of the Forest Officers who accompained me, however much my own opinion might differ from it. If the principles on which the demarcation was done, as explained in paragraph 5, are not lost sight of, and if the rights of the people as now recorded are fully observed, the people will have no cause to complain; but it will be necessary to watch the effect of the demarcation more in this direction than in any other

Large area of cultivation included necessity for caution in management of Kutlehr forests.

part of the district. This watchfulness will be necessary, not only from the intricate and extensive nature of the demarcation, but also because the management is in the hands of the Raja. He has himself no interest in the Khalsa tappas of the taluka except what Government has conferred upon him for his management of the forests, and there may be a tendency on his part to use his power to the disadvantage of the people and without due consideration of their rights.

Rights in Kutlehr.

67. The taluka was settled with the rest of the Kangra district, and the people have the same forest rights as are exercised in the district generally with such small differences as arise from the fact that the forests have always been managed by the Raja. They get permission to cut trees from the Raja instead of from the Forest Officer. They have never got any share of the sale proceeds of timber or of grass from trihais, either in the Khalsa or in the jagir tappas. Again, all bamboo forests are closed annually during the rains against all grazing (*vide* Commissioner's No. 129 of 4th April 1863). This most useful rule once applied to the whole district, and it is still observed in Siba and Goler as well as in Kutlehr; but unfortunately it was cancelled by the Forest Officer in 1873-74 in the Nurpur tahsil, where the most valuable bamboo forests in the district are situated. These differences, as they now exist, have been embodied in the record, and with one exception (see paragraph 70) they should be maintained.

Authority given to lambardars to allow cutting of brushwood.

68. In Kutlehr, as in Hamirpur, the lambardar will have authority to grant brushwood for hedges; but trees for marriages, funerals and agricultural implements will in Kutlehr be given by the Raja. The taluka is not very large, and the people will not be put to any appreciable inconvenience by this continuance of the existing custom.

Area closed in Kutlehr large.

69. The area closed during the whole year in this taluka is very large compared with the trihais in Hamirpur and Kangra. This is no doubt the result of the Raja's personal influence and of the direct interest he has in the trihais, the grass of which is sold and the proceeds credited to him. The bamboo forests are also closed during the rains, and this rule should be strictly enforced; but in consideration of it the area of the trihai or permanently closed forest might be reduced without any risk of deterioration.

Sale proceeds of grass in closed areas in trihais in Khalsa villages should be given to village community.

70. In the rest of the district, wherever forests have been closed, the owners of the soil have got the sale proceeds of the grass, and in the Khalsa tappas of Kutlehr I think the same rule should prevail. The Raja has acquired all rights in the common waste of the jagir tappas, and has thus taken the place of the proprietary body. In the Khalsa tappas, the people are still proprietors of the soil, and it does not seem fair that a right admitted elsewhere should be refused here merely because the management of the forests has been entrusted to the Raja. I recommend then that the sale proceeds of grass from the Khalsa trihais, amounting to about Rs. 200 per annum, be made over to the village communities. This is the only point on which I recommend a departure from the existing customs. In anticipation of sanction, the change has been made in the record of rights now prepared.

Rules for Raja's management of the forests.

71. In the rules for the guidance of the Raja in his management of the forests, the proposals contained in paragraph 60 of the Joint Report and sanctioned in paragraph 4 of the Government letter No. 567, dated 26th December 1884, have been carried out. The rules are practically the same for all the four Rajas of Kutlehr, Nadaun, Goler and Siba, with only such slight modifications as the circumstances of each State required. In Kutlehr it has been laid down that when the Raja refuses to allow waste to be broken up in the Khalsa tappas, the refusal shall be subject to the confirmation of the Deputy Commissioner. This rule is confined to Kutlehr, because the Raja has himself no right in the waste, and would derive no benefit from the extension of cultivation, and might curtail the right of the people to extend cultivation. The Raja was most anxious that some share of the revenue from new cultivation in these tappas should be conferred upon him. He is only manager of the forests, and in that capacity has no claim whatsoever beyond what may be admitted to him by Government. The income from licenses granted by the Raja to the people of Hoshiarpur who live on the edge of Kutlehr has hitherto been retained by the Raja, and no share given to the Forest Department. There is no reason for this, and the rule now made is that, with the exception of grazing fees for which there is a special arrangement, Government shall receive one-fourth of all forest income. This rule is in accordance with the orders of Government.

Forests in Nadaun.

72. In Nadaun there has been no demarcation, and in Siba and Goler the forests demarcated before the present enquiry have not been extended, but remain as before. In all three States an enquiry was necessary into the rights exercised over the undemarcated waste which it is proposed to make protected forest under Chapter IV.

73. In Nadaun and Goler there has been no settlement, and the first question that arose in both cases was who should be held to be proprietor of the waste. On the analogy of Siba, where the subject was fully considered in making the summary settlement, it may be safely held that the soil does not belong to Government; the only claimants are the Raja and the people. Under these circumstances it is unnecessary for the purposes of Section 28 of the Forest Act to decide as between private persons who is proprietor of the waste. In order to justify the waste of Nadaun, Goler and Siba being declared protected forest under Chapter IV, it is sufficient that the trees on the waste belong to Government, and on that point there is no doubt.

Property in waste of Nadaun and Goler.

74. The record of rights for these three States asserts in its 1st paragraph the right of Government to the trees on all waste land not included in holdings. This is the basis of the settlement. The right to one-half the sale proceeds of timber which Government has conferred on the Rajas was granted as an act of pure grace, and may be withdrawn at any time. The Government has also given the Rajas the management of the forests, but that is also subject to their fulfilling all the conditions imposed on them.

Government is owner of trees on all waste not included in holdings.

The people are not unfrequently in possession of small patches of waste near their houses and cultivation, and such waste is generally included in their holdings and assessed to revenue. All such waste has in Nadaun, Siba and Goler been removed from the operation of the Forest Act, as the people have been accustomed to cut all or at least certain kinds of trees from such waste without permission for their own use, and perhaps in some cases even for sale.

75. The records for the three States are almost identical: the differences are mostly unimportant, and arise from local peculiarities. The Nadaun record gives more details, because in this State there are no demarcated forests, and therefore no special record for such forests as there is in Goler and Siba. The Government gets no share of sheep-grazing fees in Goler and Nadaun, and in these States the Rajas may be left to fix the rates, subject to the approval of the Deputy Commissioner. This restriction is, in my opinion, necessary, as the Gaddis, though they have been more interfered with in these States than in the rest of the district, have still a hereditary right in their runs, and an excessive increase in the fees would either drive them away or would amount to a confiscation of their rights. In Siba, on the other hand, under the arrangement sanctioned by Government in its No. 567, dated 26th December 1884, the grazing income in the demarcated forests is divided between the Raja and Government, and in the record the right has been reserved to Government to fix the rate of fees just as it may fix the price of trees.

Record of rights in Nadaun, Goler and Siba.

76. The record in regard to lopping is the same for all the States. There has been no uniform practice even in the same State, and it was found most difficult to frame any rule on the subject. Even now it is not in exact accord with the existing customs of any State, but it is fair both to the Rajas and to the people, and is sufficiently near the prevailing practice.

Lopping in these States.

77. The conditions under which the management of the forests has been entrusted to the Rajas are the same for all, and have been sanctioned in Government letter No. 567, dated 26th December 1884 (paragraph 4). The only condition to which they can raise any objection is that requiring a reference to the Forest Officer before allowing waste land bearing trees to be broken up. This condition is necessary to protect the right of Government to such trees, as when waste becomes cultivated, the Government right in the trees is lost.

Conditions for management.

78. There was a dispute between the Raja and the people in both Goler and Nadaun as to trees on fields, and especially how far the people could cut them for sale. In Nadaun chil trees on fields have certainly not been cut without permission. Probably the people cut all other trees for their own use without permission. The circumstances of Goler are the same as of Siba, and the dispute should be settled in the same way in both jagirs. No orders have been passed by me in regard to trees on fields, as the present enquiry extended only to the waste land.

Trees on fields in these States.

79. With the exception of Nadaun, Siba, Goler and Kutlehr there are no large jagirdars holding forests in which Government has any rights. In Lambagraon there are forests sufficiently extensive to be demarcated on the system followed in Kangra, but at the revenue settlement no rights in the waste of this jagir were reserved to Government. Nag Ban, the largest forest, was declared to be the full property of the Raja; the trees on smaller wastes were recorded as the joint property of the Raja and of the people, but may not be sold by either; and trees on the larger wastes may be cut only with the Raja's permission.

Other jagirdars.

There are several small jagirdars of whole villages in which forests are situated, but the rights of Government in these are the same as in Khalsa villages. In several cases the jagirdars have received special privileges from Government as in Bir, Reh, Dhamtal and Nurpur; and in other cases the rules have not been strictly enforced as in Rajer. These cases have been recorded and recommendations made for the continuance of the privileges enjoyed (paragraph 63).

Sheep-grazing runs recorded.

80. In accordance with paragraph 12 of Government letter No. 298, dated 20th July 1883, a record has been made of the Gaddis' runs in the four tahsils. This record has in Kangra, Nurpur and Hamirpur been incorporated with the record of rights in demarcated forests; but in Dehra, as there was only one such forest, a separate record has been prepared. As far as possible, all those entitled to graze in a run, whether as mukaddams or as assamis, have been recorded; but it was a difficult matter to get the Gaddis to come up, and it is not unlikely that some names have been omitted, especially the names of assamis.

Leases for runs are held direct from Government.

81. As has been explained in paragraph 36, the Gaddis hold the leases of their runs direct from Government. Their rights are personal and not attached to cultivated land; but they are hereditary and descend like property in land, subject, however, to the conditions that Government may charge whatever dues it considers right, and may put other shepherds into a run if the hereditary graziers have not got flocks sufficient for the run, and may close any part of the forest for conservancy purposes.

Mukaddams and assamis.

82. The principal shepherds now call themselves *maliks*, not mukaddams, and probably in most places the assamis (*vide* Settlement Report, 42) have been driven out, as the flocks of the mukaddams increased and the grazing became less extensive. In many runs there are now no assamis, and the graziers are the descendants of the first mukaddams. Wherever there are assamis they admit their inferior position, but it was admitted on all hands that the old assamis could not be turned out except for some fault such as refusal to pay the mukaddams' dues or to graze according to established custom. In almost all cases the assamis pay annas 4 per hundred sheep and goats to the mukaddams and in some cases as much as Re. 1 per hundred is taken. What was scarcely known in 1868 has now become the rule, and is now accepted by the assamis without a murmur. In Nurpur and in Shahpur-Kandi, where the Raja of Chamba levies a fee in addition to what is paid to Government, the contractor, who may for these places be considered the mukaddam, has sometimes put in outsiders, and runs which were once in one family are now grazed by shepherds of various castes. All the graziers in the runs which are charged the extra fee are merely assamis and hold a lower position than the shepherds in Kangra and Dehra. Where there are several shepherds equally entitled to graze in a run and equally entitled to the position of mukaddam, it is customary in some cases for them to undertake the duties of mukaddam in turn, and in these cases no fees are paid. In some cases runs have a money value put upon them, and the amount is collected from all that graze in it, whether maliks or assamis, and divided among the maliks according to their ancestral shares. In this way a shepherd, who has a right in several runs, but grazes only in one which is not uncommon, gets a money equivalent for the grazing in the run to which he does not go.

Gaddis may halt on road only for one or two days.

83. In the record it has been laid down that the Gaddis have a right only in their own runs, and may not remain more than a day or two in one place on the road to and from their runs. The time spent on the road is gradually getting longer, and shepherds frequently do much damage to the grazing of villagers and of other shepherds by delaying on the road. Zamindars are often not opposed to their remaining, because they get their fields manured; and no objection can be taken so long as the flocks are kept on assessed waste or on fields, but if they remain on the open unassessed waste, they should be made to pay grazing dues. Still the object of the record on this point is not to increase the revenue from grazing, but to make the shepherds move on.

The villages on the main range, which themselves keep large flocks, complain bitterly of the time spent by Chamba and other foreign sheep on the dhars, both in going to and coming from Chamba. These flocks remain more than a month on the lower slopes, and while they reduce very materially the grazing of the Kangra shepherds, they pay no grazing dues. The rule requiring all shepherds to move on should be enforced on the main range as well as elsewhere.

Manuring of fields.

84. In all parts of the district it is customary for zamindars to arrange with the Gaddis for the manuring of their fields. In some places the Gaddis get money, but oftener grain or food. In the Palam Valley, where there is great demand for manure and little grazing left to attract shepherds, two seers of grain per hundred sheep for one night is given. In most places, wherever grazing is plentiful, shepherds are content with food for themselves and their dogs. The villagers have no right to the manure, and cannot prevent the shepherds from grazing even if they refused to give the manure. This

is the case in the whole district except in Narwana and Kaniyara (*see* paragraph 45, Settlement Report), where certain families are entitled to receive manure from the shepherds who graze their runs.

No dues paid by villages for grazing in their villages. Suggestion for new settlement.

85. At present the Gaddi shepherds living in the Kangra Valley pay no dues for grazing within their own villages, but they are not themselves averse to a grazing tax being imposed. Before annexation, each dhar had to pay a fixed sum, and the shepherds knew exactly the limits of their runs. Now they say it is all confusion; no one has any right in any run, as all is common (paragraph 45, Settlement Report). Again, the zamindars complain that shepherds who pay only a few annas revenue for land graze hundreds of sheep and goats. It is not possible now to return to the old arrangements, but at the new revenue settlement I would suggest that the value of the grazing in the village be estimated for a period of years, and a contract given to the lambardars or principal shepherds, who would collect the dues from all who grazed, whether residents of the village or not. This would ensure that owners of large flocks paid something for the grazing, and foreign shepherds would also have to move on, or if they remained to the detriment of the village grazing, they would have to pay.

Dues for sheep-grazing.

86. The rate charged for grazing is Rs. 2, but in Nurpur only Re. 1-11-6, as in that tahsil lambs and kids are counted. As there are sometimes disputes at to the meaning of these words, it should be laid down that they apply only to the young born while crossing the main range in autumn (Assauj) or afterwards. In some few places contractors in Kangra have made an arrangement with the shepherds for a fixed sum. Prior to 1876 the collection of the dues was leased out on contracts for five years, but this system was not found to work under the Forest Department, and since 1878 the dues in Nurpur, Dehra and Hamirpur have been collected by the Forest establishment. In Kangra the lease has been given for some time from year to year, as long contracts could not be given while the management of the forests and the question of forming reserves were under discussion. The average income for the whole district for the four years preceding 1878 was only Rs 2,868, and the income for 1885-86 was Rs. 4,383. The increase is almost entirely in Nurpur and Dehra, where the most valuable runs are. The income from Kangra and Hamirpur is almost stationary. The increase arises in part from the change from contracts to collection of the dues by the Forest establishment, but there has certainly been an increase in the number of sheep. This increase in sheep is most marked in the runs at a distance from the main range. The shepherds are now driven into the wastes of Bilaspur and the Jaswan Dun.

Rate of grazing tax should be raised.

87. With the increase in flocks and the diminution of the extent of waste, grazing has become more valuable, and so also has mutton; but the grazing rate has remained fixed. The consequence has been that the mukaddams have charged their assamis from four annas to a rupee per hundred sheep for grazing, and the Raja of Chamba has also taken advantage of the opportunity to increase the toll or tax he levies for grazing in parts of the Kangra District. I would suggest that the rate be at once raised at least to Rs. 3-2-0 per hundred. Though grazing may have diminished, the shepherds are, in my opinion, better off than they were twenty or thirty years ago. They get twice or even three times as much for their sheep and wool, and the grain given for manure is not only larger in quantity, but is more valuable.

Claims of the Raja of Chamba.

88. The claims of the Raja of Chamba to levy grazing dues on the Gaddis that frequent the runs between the Boner and the Ravi have been described in paragraphs 43 and 44 of the Revenue Settlement Report. There can be no doubt of the existence of the custom, but it is based not on any right, but on the wish of the Gaddis who have runs both in Chamba and in Kangra to propitiate the Raja. Gaddis who graze in Kangra, but who do not pass through Chamba in summer, do not pay anything to the Raja. The dues are collected mostly in Kangra, but if any Gaddi fails to pay, no proceedings are taken against him in the district courts; for the Chamba State knows that the claim would not be sustained. When, however, the recusant Gaddi goes to Chamba for his summer grazing, advantage is taken of his presence to make him pay the dues.

Contracts given for collection.

89. The Raja leases to contractors the collection of the dues, and these contractors not unfrequently sub-let the contracts for several runs to the principal shepherds, who then make their own arrangements for the collection. In order that the runs may be systematically grazed and the fields manured, the flocks are kept together during the first two months (Poh and Magh), and if the shepherds during this time remain subject to the directions of the contractor, they pay no milana, which the contractor himself collects from the cultivators on whose fields the flocks are penned. If they separate off from the main flock they pay milana at a fixed rate per hundred sheep to the contractor, and make their own arrangements with the cultivators.

90. Many of the Gaddis who are called upon to pay the extra dues to the Chamba contractor live in the Kangra District, and complaints are constantly made that the charge is unjust, and has been increased since Mr. Lyall's settlement. There is evidence of a fourfold increase within the last six or seven years in the case of runs that once paid a lump sum, and the fact that there has been a general increase is clear from the rates now claimed by the Raja compared with what existed at the revenue settlement. The rates now claimed are—

Increase in rates during recent years.

	Rs.	A.	P.			Rs.	A.	P.	
In Harsar (Nurpur Tahsil)	... 1	0	0	grazing	...	0	8	0	milana.
" rest of Nurpur	... 1	0	0	"	...	1	0	0	"
" Goler (old principality)	... 1	0	0	"					
" Rilhu	... 1 .	4	0	"					

Mr. Lyall wrote that "in the country between the Boner and Nurpur, the Raja does get something, though not the one per cent. or anything nearly equal to it. This something consists of certain small sums of cash assessed on each *ban* and paid without variation year by year." But now the rate is at least one per cent.

91. In my opinion the Raja has no right whatsoever to the dues he levies, and we should protect the Gaddis against the claims made. It makes no difference whether the money is collected in Chamba or in Kangra: it is collected on account of grazing in the Kangra District, and the Government rights are thereby reduced. It may be called a toll, but that is only an excuse to justify the anomaly of a Native State collecting revenue in a British District. The Government should take steps to prevent the dues being levied, and should protect the Gaddis who do not pay.

The Raja's claim should be disallowed.

92. In the settlement of rights of private persons in the Kangra forests it was necessary to dispose of the claims of tea-planters to be supplied with timber at zamindari rates. The record prepared covers all cases, but as a full statement of the facts of this special case has been called for, the claims made and the reasons for disallowing them are given in detail.

Rights of tea-planters.

93. The claim made by the planters was that the purchasers of land acquired with it all the zamindari rights in the waste which are admitted to ordinary cultivators: that they were therefore entitled to receive from the Government forests at zamindari rates all the wood required by them for the construction of houses and factories, for the roasting of tea, and for the construction of tea-boxes. This was the general claim put forward, but all planters do not stand in the same position to the forests. They may be divided into three classes—

Claims of planters: three classes of planters.

(*a*) purchasers of waste land, sold in 1863 in fee-simple;

(*b*) purchasers of waste land, who did not at the same time acquire cultivated land paying revenue;

(*c*) purchasers of cultivated land paying revenue to which was appendant a share in the common waste.

The first question to answer was what class of planters can demand trees at zamindari rates.

94. The lands taken up by Mr. Egerton in 1863 were formed into separate estates and sold in fee-simple, and no rights in the waste of other estates were appendant to the ownership of these estates. The purchasers of such lands bought with them no rights except over the lands purchased, and in 1873 it was decided by Government that the owners of land purchased in fee-simple from Government had no accessory rights in other lands *quâ* such purchase. It refused at the same time to allow trees to be sold to them except at the full market rate, and allowed trees to be sold at full rates only for building purposes. The owners of land held in fee-simple do not come under any of the four classes of right-holders for the trees as well as the land belongs to them, and the land is not included in the protected area.

Holders in fee-simple have no rights.

95. The contract in which Government gives forest rights was made with the revenue-payers. The mere possession of a piece of waste land does not carry with it any rights in other waste. The purchasers of waste are only in the position of the "malik makbuza," and are not entitled to a share in the common land of the village or tika. The seller of the land retained all his forest rights and continued to exercise them as before. Planters who acquired waste without also acquiring revenue-paying land are practically, so far as forest rights are concerned, in the same position as purchasers in fee-simple. But there is this difference, that purchasers in fee-simple acquired the trees as well as the land, whereas other purchasers bought from the zamindars only the soil, not the trees. The trees continue to belong to Government, unless they have been

Possession of waste land confers no rights over other waste.

bought, or unless Government has given up its right. In waste bought before the revised settlement, Government gave up the trees to the owners of the land (*vide* note, page 238, Settlement Report), and in many cases since that settlement the trees have been sold. The waste land on which the trees do not belong to Government has not been made protected forest; but where Government still retains its right to the trees, such waste has been put under Chapter IV of the Act, and the owners of the land come under class 2 of right-holders, and can exercise over the waste in their possession the rights admitted to that class.

Property in waste does not necessarily confer property in the trees on the waste.

96. The third class of planters consists of those who bought revenue-paying cultivated land, and with that land rights in the common waste. They are entitled to receive trees at zamindari rates *quâ* such purchasers, that is, they are entitled to the rights enjoyed by the zamindars from whom they acquired the land. These planters come under class 1 of right-holders, and may exercise all the *admitted* rights within the waste of which they are co-sharers. These rights were allowed to them in 1873, and guaranteed during the currency of the present settlement; but even then the restriction was imposed that chil trees should be given only for building purposes.

Revenue-payers entitled to zamindari rights.

97. The claim put forward is that trees should be given for (1) building houses, factories and barracks for coolies; (2) for packing cases for tea; and (3) for fuel, especially charcoal, for heating the tea leaf, and for working the engines now used on several plantations. The reply to this claim is that the original owners of the land could sell only their own rights, and they did not require and were not entitled to fuel for the manufacture of tea, nor timber for tea-boxes; and trees for these purposes had never been given to them at zamindari rates. The case of settlers in Kangra is the same as of settlers in Kulu, where it was held that "the right of European purchasers of revenue-paying land in respect to a supply of timber at zamindari rates should be limited to the amount that would by custom be demandable by a peasant proprietor holding the same amount of revenue-paying land."

Claims for trees at zamindari rates for tea disallowed.

The orders passed in 1873 were again affirmed in 1876, and they were communicated to the interested parties. It was also laid down that the zamindari rights thus admitted were guaranteed only during the term of the present settlement, and that at the new settlement the subject would be reconsidered.

98. The general result of the enquiry in this case is that only planters who are owners of revenue-paying cultivated land and with such land of a share in the common waste are entitled to zamindari rights in the forests. In exercising these rights they will be subject to all the restrictions imposed on ordinary zamindars, and among these restrictions the limit imposed on grants of trees for building purposes will specially apply. No special rules for planters were either expedient or required; the ordinary rules are sufficient for all cases in so far as rights to trees at zamindari rates are concerned.

Rights admitted are the same as are admitted to ordinary zamindars.

99. But though planters have no right to demand trees at zamindari rates for use in the manufacture of tea, still many of them look to the Government forests to meet their wants at full market rates, and it is necessary to consider how a permanent supply of fuel and timber can be maintained in convenient localities to meet the requirements of the tea industry and of the zamindars generally.

Trees may be given at full rates.

100. Unfortunately the most convenient forests are in the eight villages referred to in paragraph 12, where closing against grazing is impossible. Nothing can be done to conserve the forests in these villages except by strict economy and the careful selection of trees for felling. The rights now admitted to zamindars must be allowed to them, but in these eight villages more than in any part of the main range is it necessary to prevent the people from leasing out grazing. We cannot now prevent the people from grazing, but we can prevent them leasing the grazing to others. For the villages in Palam on the main range a forester should be appointed who would see that the grants of trees were required, and would mark the trees in places that would not be denuded. In the eight villages where in 1863 grants were made of forest for the use of the people, the ordinary wants should be supplied from these private forests and not from the Government forests.

Means to secure a permanent supply of timber at Palampur.

101. In order to preserve the low-lying chil forest nothing can be done but to enforce the order passed in 1873, that even on payment of full market rates no chil trees should be given except for building purposes. Under no circumstances should chil trees be sold for tea boxes; and, to non-rightholders who wish for such trees for building, it will be well for many years to come to maintain the present price of Rs. 8 per tree of whatever size. There are scarcely any large trees left, and these proposals will prevent the felling of young unmatured trees.

Chil trees not to be given for boxes, &c.

102. For the oak forests (*ban, Q. incana*), which come next above the pine, the same procedure will be necessary. The demand for these trees for charcoal for heating the tea leaf is very great, and as a first step no trees should be given for this purpose, except at full market rates. There are at present two rates, Rs. 2 for large and Re. 1 for small oaks. No trees should now be sold at the lower rate. The lowest rate should be Rs. 2, and this rate should be charged for the more distant trees. Under the Government letter No. 358, dated 10th August 1885, this rate should also be charged for the keru (*Q. semicarpifolia*), or mountain oak, which is found equal with or above the tos. The keru wherever it is found, should be extensively marked for felling, as the lower oak forests will thus get a rest.

Full price to be charged for oak, and distant trees to be marked for felling.

103. When in 1873 the order prohibiting the sale of chil for any but building purposes was issued, all planters were allowed to get rai and tos, which are specially suitable for tea boxes, at 4 annas per tree. The rai and tos lie high up and generally on cold northern slopes, and the intention was to lessen the demand on the lower forests. There was practically no demand for tos at the time, and 4 annas per tree was then considered the market rate. The concession thus made to the planters was coupled with a caution to the District Officers to see that the grants should be carefully watched; otherwise it would some day be found that places not easily accessible or visible were denuded of trees. The Kangra Forest establishment (one darogah and two or three guards for the whole tahsil) has always been inadequate for such supervision as this would require, and the result has been that the trees have been cut in the places most convenient to the sawyers and planters without any consideration of the forests. A tos tree is given at 4 annas; it will give on an average 250 planks, 7 feet long and 8 and 11 inches wide, suitable for tea boxes: the sawing will cost Rs. 35 and the carriage to the factory Rs. 19-8-6. The cost of converting and carriage of one tree for which Government gets 4 annas is Rs. 54-8-6. For the export of a lakh of lbs. of tea only 20 such trees are required. Hence, though the price of each tree was raised to Rs. 5, or even Rs. 10, the increased expenditure on the tea would be very small. The first step in conserving the tos forests is the marking of trees at a distance. Most of the near forests have been worked out. For this purpose establishment is necessary, and to provide it the price of trees should be raised.

Price of tos might be raised : distant trees marked.

104. This raises the further question how the timber and fuel can be brought out. Government should, out of its forest income, make roads, and if Government fail to do so, planters should have an opportunity of making them and of getting trees at a reduced price. It is, however, extremely doubtful whether any of them will in the present depressed state of the tea industry spend capital in this way, and no specific proposals have been made to me. Under any circumstances the more distant forests must be worked, not only because the lower forests are being denuded and require rest, but also because the higher forests can be more safely worked than the forests near the villages, which are burdened with grazing and other rights.

Roads should be made.

105. I have not fixed prices for the trees ordinarily required by planters. That must be done for each forest by the Forest Officer with regard to the distance of the forest and the means of exploitation. A mere increase in price will not in itself have much effect, as I have shown in the case of tos. If the most distant trees were marked for felling, the prices of oak might be left at its present figure, but tos should certainly be charged higher wherever it is cut.

Market rates should vary with the locality.

106. Since 1866 the forests in Dharmsala and Kareri have been managed by the Municipal Committee under Chapter V of the Rules sanctioned by Notification No. 3178, dated 2nd December 1867. It does not appear that the Local Government at any time formally transferred to the Committee the forest land lying beyond the proper municipal limits, and the rules are applicable only to the comparatively small area included within the boundaries given in the first municipal rule. The Committee's forest jurisdiction has been, however, understood to extend to the whole of the Dharmsala and Kareri forests, and it has enjoyed the income from these forests, while it has maintained a small establishment at a cost of about Rs. 150 per annum for their protection.

Dharmsala Municipal Forests.

107. The Committee has not administered its trust to the benefit of the forests. The closed areas in Kareri have not been conserved: extension of cultivation has been allowed without restriction of any sort: trees given at zamindari rates have been re-sold at a profit: all the larger trees on the common waste near the station have been cut, and little or nothing has been done to reproduce them, so that the hill-

Municipal management not successful.

sides are becoming bare and landslips common. Areas suitable for closing were selected, but no action was taken by the Committee on the score of expense, though a surplus is left after paying for expenditure on establishment. Until recently trees were sold cheaper in Dharmsala than in any part of the district, though the opposite should have been the case.

The Committee's jurisdiction is too extensive.

108. The position of the Committee is not that of proprietor of the forests but only of manager on behalf of Government; and as it is necessary to remove the doubt as to the extent of the Committee's forest jurisdiction, this is a convenient opportunity for confining it to an area which it can manage. In the present enquiry the forests in Dharmsala and Kareri have been treated exactly like the other parts of the district. Ten forests have been demarcated with a total area of about 16,000 acres, of which 13,000 acres are on the main range and 2,000 acres lower down among the hamlets and cultivation. This is exclusive of a large area of most valuable forest which it was found impossible to demarcate. No part of the waste within the Municipal limits has been included in any forest, as it is cut up by cultivation and compounds.

Committee should have only forests within Municipal limits.

109. The Kareri forests, especially those towards Drini on the Kauli stream, have been left without any supervision, and they have no connection with the Committee except as a source of income; and even that connection scarcely exists, for the forests are too far away to supply fuel and timber to Dharmsala. The part of Kareri beyond the Gaj stream should, without any doubt, be taken away from the Committee. At first I was inclined to think that the whole of Dharmsala and the rest of Kareri might be left with the Committee; but now, after further consideration, and especially since the demands on the forest have increased by the addition of a second battalion to the Gurkha Regiment, I recommend that the Committee be confined to the area within its own proper limits. There is now a Forest Officer in Dharmsala under the control of the Deputy Commissioner and the interests of the residents will not suffer at their hands while the forests will be properly conserved. The Gurkha Regiments and the European detachment are dependent on the forests for fuel, and it is desirable that the management should be in the hands of public officers rather than of a Committee of which no District Officer will be a member.

The record now prepared is, under any circumstances, applicable to all the forests.

110. Under any circumstances the Committee has only such rights in the forests as may be established for Government in the other forests of the district, and the record now prepared will apply to the Kareri and Darmsala forests, whether they are managed by the Municipal Committee or by the Deputy Commissioner and Forest Officer. The rules that have been drafted will be sufficient for regulating the licenses for cutting and selling wood and grass and for burning charcoal, provided the recommendation now made to limit the Committee to its own proper boundaries is accepted. Otherwise it will be necessary to prepare rules conferring on the Committee certain of the powers of the Deputy Commissioner.

Rules for the protected forests.

111. Rules for the demarcated and undemarcated protected forests have been drafted under Section 31 of the Forests Act. They are founded on the record of rights, and vary only slightly for the different parts of the district. They embody the principal restrictions, and in my opinion no general explanation need be published with them, as for the Shahpur-Kandi Forests (Government letter No. 401, dated 12th September 1885). The Deputy Commissioner in carrying out the rules will be guided by the record of rights, which contains much which might more properly have been left to executive orders but which was recorded for the satisfaction of the people. For instance, no trees may be cut without permission, but authority is given to the Deputy Commissioner to delegate the grant of permission, and it is understood he will in this, as in other cases, act on the record, and give lambardars authority to allow trees to be cut under the recorded restrictions.

112. Rules have been made not only for the exercise of rights by right-holders, but also for the granting of licenses to non-right-holders. It is common for the poorer classes to sell wood and grass at towns, such as Dharmsala, Kangra, Sujanpur, Haripur, Nurpur, Kotla, Jowali, Gangatha, and even at Pathankot in Gurdaspur. No one has a right to sell such forest produce, and it is necessary to assert the right of Government to prohibit this traffic, or to tax it in any way it thinks proper. In some places it may not be desirable to insist on licenses being taken, but for all the Municipal towns, and also for Pathankot, the sale of wood and grass should be prohibited except on payment. If licenses are considered necessary in smaller places, lambardars might be given authority to grant the licenses, according to the proposals made for Shahpur-Kandi. In Dharmsala it is customary for the jhampanis of visitors and of other residents to be sent out for wood and grass for the use of their masters, and as this could not in the ordinary sense of the words be called *cutting for sale,* a rule has been made prohibiting any one other than a right-holder from cutting wood

and grass for his own use. This part of Rule 3 is intended to apply only to such cases, and not to prevent non-agricultural residents in villages from getting their own wood and grass. Charcoal-burners have hitherto taken out licenses only in Dharmsala, but it is advisable to extend the rule so as to include the burners of Palampur, who prepare charcoal for the tea factories. These men not only make large profits out of the business, but do much damage to the forests, and at present are not subject to any control.

113. The rules are applicable to both demarcated and undemarcatad forests, but the permission of the Deputy Commissioner, which is necessary to breaking up waste, will never be given in the case of waste included in any demarcated forest. A notification has been drafted under Section 29 (*c*) which absolutely prohibits the clearing for cultivation of any part of the demarcated area.

Reserved trees.

114. A draft notification has been prepared declaring that the priced trees are reserved under Section 29 (*a*) of the Act. The principal object to be gained in making them reserved is that the provisions of Section 32 (*d*) and (*e*) may in this manner be made applicable to the Kangra forests generally. In the jagirs of Nadaun, Goler and Siba, trees have been given free, but the notification extends to the protected forests in these jagirs, so that they may be protected against fires.

Map of Kangra.

115. A map has been prepared shewing the positions of the forests now demarcated under Chapter IV of the Forest Act: and I have also put upon it the reserved forests which were demarcated in 1872-1875.

Assistance rendered by Forest Officers.

116. In the demarcation and record of rights in the tahsils under the Forest Department, I was accompanied by the local Forest Officers, and I have to acknowledge the assistance received from Mr. Wallace, Ranger in Nurpur, and especially from Babu Ladha Singh, Sub-Assistant Conservator, whose intimate knowledge of forest customs was often of service to me.

117. The following is a list of the draft notifications and records submitted with this report :—

(*a*).—APPENDIX I.

Draft Notifications.

(1)	Demarcated protected forests	in	tahsil Kangra.	Subsequently issued in modified form as Punjab Government Notification No. 57, dated 26th January 1897.
(2)	Ditto	ditto	Nurpur.	
(3)	Ditto	ditto	Dehra.	
(4)	Ditto	ditto	Hamirpur.	
(5)	Ditto	ditto	taluka Kutlehr.	See jagir case.
(6)	Ditto	ditto	jagir Siba.	
(7)	Ditto	ditto	Goler.	
(8)	Undemarcated	ditto	tahsil Kangra.	Subsequently issued in modified form as Punjab Government Notification No 58, dated 26th January 1897.
(9)	Ditto	ditto	Nurpur.	
(10)	Ditto	ditto	Dehra.	
(11)	Ditto	ditto	Hamirpur.	
(12)	Ditto	ditto	jagir Siba.	See jagir case.
(13)	Ditto	ditto	Goler.	
(14)	Ditto	ditto	Nadaun.	

(15) Reserved trees under Section 29 (*a*)—(Punjab Government Notification No. 59, dated 26th January 1897).

(16) Closed areas under Section 29 (*b*)—(Issued in Punjab Government Notification No. 60, dated 26th January 1897).

(17) Prohibiting cultivation under Section 29 (c)—(Included in Punjab Government Notification No. 416, dated 14th August 1897).

(18) Rules for protected forests in tahsils Kangra, Nurpur, Dehra and Hamirpur (exclusive of Kutlehr)—(Altered and issued as Punjab Government Notification No. 416, dated 14th August 1897).

(19) Rules for protected forests in taluka Kutlehr. } See jagir case. (Draft also printed).

(20) Ditto ditto jagirs Siba, Goler and Nadaun. } See jagir case. (Draft also printed).

(21) Rules under Section 75—(Altered and issued in Punjab Government Notification No. 61, dated 26th January 1897) (Draft also printed).

(b).—APPENDIX II.

Areas of demarcated protected forests in—

(1) Tahsil Kangra. (2) Do. Nurpur. (3) Do. Dehra. (4) Do. Hamirpur.	Incorporated in Punjab Government Notification No. 57, dated 26th January 1897.
(5) Taluka Kutlehr. (6) Jagir Siba. (7) Do. Goler.	See jagir case.

(c).—APPENDIX III.

Records of rights and of right-holders and of grazing runs in the demarcated and undemarcated forests in—

(1) Tahsil Kangra. (2) Do. Nurpur. (3) Do. Dehra, (4) Do. Hamirpur.	Mr. Anderson's draft general provisions appended. The final record is with the orders of January 1897. The detailed record is printed in the separate volume.
(5) Taluka Kutlehr. (6) Jagir Siba. (7) Do. Goler. (8) Do. Nadaun.	See jagir case.

(d) Map of the Kangra District showing the positions of the demarcated protected forests and also of reserved forests in Nurpur and Dehra, that is, of all demarcated forests in the Kangra Valley (not reproduced).

HISSAR:
20th August 1887.

A. ANDERSON,
Forest Settlement Officer

APPENDIX III (*i*) TO (*iv*).

MR. ANDERSON'S ORIGINAL DRAFT GENERAL PROVISIONS AS TO RIGHTS IN THE DEMARCATED AND UNDEMARCATED PROTECTED FORESTS.

Identical in each tahsil except as noted.

THE soil of the forests belongs to the individuals and communities in whose names the right is recorded in the Revenue Settlement Record.

2. (*a*) Trees on fields assessed to land revenue belong to the proprietors of the fields.

(*b*) Trees on kharetars, which were assessed at two annas per ghumao at the Revised Settlement, belong to the proprietors of the kharetars, except in the cases where Government retained its ownership in such trees.

(*c*) All brushwood and trees growing on unassessed waste land belong to Government, whether the land belongs to only one proprietor or to several, whether it is common to a family, to a tika, or to a village. Also all brushwood and trees growing on assessed kharetars belong to Government in those special cases where Government retained a right to them. But, though the brushwood and trees belong to Government, the people are entitled to *bartan.*

The settlement now made refers only to waste land, the brushwood and trees on which belong to Government: and not to fields, and those assessed kharetars the brushwood and trees on which belong to the owners of the fields and kharetars: (nor to the unassessed waste land recorded at the Revised Revenue Settlement as ban-maafi in Chichiyan and Jiya, the trees on which belong to the proprietary body.) *

3. Right-holders as defined in paragraph 4 may exercise such of the following rights as are admitted to them in the Forest Settlement Record subject to the conditions hereafter detailed and to the rules which Government may from time to time issue for the regulation of these rights:—

(1) To graze their own cattle, sheep and goats, except as provided in paragraph 9.

(2) To take trees—

for agricultural implements and domestic utensils;

for construction and repair of dwelling-houses, cattle-sheds and other agricultural buildings;

for fuel for daily use, and for marriage and funeral ceremonies;

for cremation of the dead;

for charcoal to be used in the manufacture and repair of agricultural implements.

(3) To take the following articles of forest produce:—

(*a*) Grass of all kinds for fodder and other purposes.

(*b*) Dry wood for fuel.

(*c*) Brushwood for fences.

(*d*) Side branches of trees for fodder and manure.

(*e*) Fallen leaves for manure and other purposes.

(*f*) Leaves of trees for tanning.

(*g*) Leaves of creepers.

(*h*) Bark of creepers.

(*i*) Stumps of trees for torches, fuel and charcoal.

(*j*) Fruits, flowers, medicinal and edible roots and leaves.

(*k*) Surface stones for building and other purposes.

(*l*) Earth for plastering, making vessels, bricks, and other purposes.

(*m*) Wild honey.

4. (1). The proprietors and agricultural tenants of cultivated land to which is appendant a share in the soil of the demarcated and undemarcated forest and waste may exercise within the areas in which they are shareholders all or any of the rights detailed in paragraph 3.

(2). The proprietors of the soil of any part of the demarcated and undemarcated forest and waste who are neither the owners nor the occupants of any revenue-paying cultivated land in the village where the forest or waste is situated, may exercise within the areas of which they are proprietors only the following rights:—

(*a*) To graze their own cattle, sheep and goats.

(*b*) To cut grass.

* Kangra only.

(c) To collect dry fallen wood fit only for fuel.

(d) To take surface stones for building and other purposes.

(3) The proprietors and agricultural tenants of the cultivated land, to which in the Forest Settlement Record all or any of the rights detailed in paragraph 3 are declared to be appendant, may exercise such rights within the parts of the demarcated forests specified in that record.

(4). The proprietors of cultivated land and their agricultural tenants who have hitherto continuously exercised all or any of the rights detailed in paragraph 3 over any part of the undemarcated forest and waste may continue to exercise in such part such rights as they and their predecessors in title have exercised.

Non-agricultural residents may graze their own cattle, sheep and goats, collect dry fallen wood fit only for fuel, and cut grass in the undemarcated forest and waste of the village where they reside, but these privileges (licenses) may be exercised only for their own actual domestic requirements, and in case of abuse may be withdrawn by the Deputy Commissioner.

Provided that in all cases tenants-at-will may get trees for building and other agricultural purposes only through the proprietors of their land, and within the limits and subject to the conditions imposed on these proprietors.

5. All rights are appendant to cultivated land assessed to the revenue, and may be acquired and alienated only with such land, except only the rights admitted in paragraph 4 (2) to those who are owners only of the waste land, and not of any cultivated assessed land.

6. Rights may be exercised only in proportion to the area cultivated and the revenue paid or assigned; and only for the actual ordinary agricultural and domestic purposes of the right-holders: and not to meet the wants of tea or other industries.

Illustration.—Trees may not be claimed to make tea boxes, or charcoal for drying tea, nor to build shops.

7. No forest produce acquired in the exercise of the rights detailed in paragraph 3 may be sold, bartered or in any way alienated, nor may it be applied to any but the purpose for which it was given: provided that—

(a) fruits, flowers, medicinal and edible roots and leaves may be sold;

(b) fuel and grass may be supplied as heretofore at encamping-grounds by right-holders responsible for such supplies.

Except as herein provided, no wood, grass or other forest produce may be sold without a license, and only on payment of any charges fixed in this behalf.

8. During the current Revenue Settlement trees will be given to right-holders at the prices fixed in paragraph 19 and all other rights will be exercised without payment.

At the re-settlement, Government may charge such a price for trees and other forest produce, or may assess all or any of these rights to revenue in such a manner as it may consider proper.

9. Right-holders may graze only their own cattle, sheep and goats.

(Provided that the shareholders in the soil of the forest and waste in Mauza Boh described in paragraph 4 (1), may allow the buffaloes of Ban-Gujars and of others who are not right-holders to graze within the areas of which they are proprietors, and may take grazing fees from them. Ban-Gujars and others thus allowed to pasture buffaloes may take dry wood fit only for fuel and in regard to lopping of trees for fodder will be subject to the same restrictions as right-holders. With these exceptions they are not entitled to any forest rights.) *

With this exception the village proprietors have no right to lease the grazing in the waste, nor to take grazing dues, nor to allow others than recorded right-holders to graze in it.

(No one may graze buffaloes or other cattle in the dhars on the Dhaula Dhar or main range except right-holders in the village in which the dhars are situated, provided that Gujars with a right of pasture recorded at the Revenue Settlement may continue to graze as heretofore, but others than Gujars may not graze, even though by mistake a right to pasture was entered at the Revenue Settlement.) †

10. The management of the grazing of sheep and goats, and the right to realize dues from shepherds, are entirely in the hands of Government.

Gaddis may graze in their accustomed runs, as recorded in the Forest Settlement Record, on payment of the dues fixed from time to time by Government.

* Kangra and Nurpur only.

† Kangra only.

The zamindars may not interfere with the Gaddi shepherds, so long as they pasture their flocks on the unassessed waste.

The Gaddi shepherds are the assamis of Government and not of the village proprietors.

The shepherds and the people must make their own arrangements in regard to manuring fields; but the people may not interfere with the Gaddis even though they refuse to manure fields (except in Kanijara and Narwana, where by custom the zamindars can claim manure in return for grazing).*

In passing to and from their runs, the Gaddis have only the right of way and may not remain longer than one night at one place, or at most two nights for any special reason such as heavy rain or giving salt to their flocks. If they remain in the unassessed waste beyond this time, they will be liable to grazing dues.

Gaddis may not lop trees except for kids and shall be subject to the same conditions as regards the height to be lopped and the size of branches as apply to agricultural right-holders.

11. Conditions at to dry brushwood and trees—

(*a*) All dry fallen wood may be removed without permission.

(*b*) All dry standing brushwood may be removed without permission.

(*c*) Stumps of trees may be removed without permission provided that marks are not interfered with.

(*d*) Dry standing trees of less than a hath in girth at the ground may be cut without permission.

(*e*) Dry standing trees of a hath in girth at the ground or more may not be cut without permission, but their branches may be cut without permission.

12. Conditions as to green brushwood—

(*a*) No green brushwood, such as garna, mendru, kasmal, &c., may be cut without permission except for burning the dead.

(*b*) It rests with the Government to decide whose permission is necessary. For the present and subject to the sanction of Government the lambardar may give permission to right-holders to cut as many loads of brushwood for hedges as they actually require.

13. Trees are divided into two classes—

(1) Trees that will ordinarily be given to right-holders on payment of the zamindari rate, and hereafter called priced trees.

(2) Trees that will be given to right-holders free, and hereafter called unpriced trees.

14. Wood for burning the dead—

(*a*) Trees of the unpriced kinds may be cut without permission, but notice must at once be given to the rakha.

(*b*) If there are no trees of the unpriced kinds available, then trees of the priced kinds, which are unfit for building purposes may be cut without permission, but notice must at once be given to the rakha.

(*c*) Trees of the following kinds may not be cut for burning the dead under any circumstances :—

Deodar.	Elm.	Kikar.
Rai.	Tun.	Kark.
Tos.	Duri.	Gun (or Khanor).
Walnut.	Tali.	Mandar.
Box.	Sal.	Olive.

15. Except as provided for in the last paragraph, no green trees of any kind or size, priced or unpriced, may be cut without permission.

It rests with Government to decide whose permission is necessary. For the present and subject to the sanction of Government the rules laid down in paragraphs 16 and 17 will be observed.

16. Lambardars will have authority to give permission to right-holders in the forests of their villages to cut trees of the unpriced kinds for the following purposes only :—

(1) For fuel for marriage (biah) feasts.

(2) For funeral (mukan, suhog, chaubarak) ceremonies.

(3) For making agricultural and domestic implements.

* Kangra only.

(4) For making charcoal for the manufacture and repair of agricultural implements.

(5) For the supply of fuel at encamping-grounds, but not otherwise for sale or barter.

(6) For making machans (mana, than) for watching crops.

Note.—Lambardars may not give trees even of the unpriced kinds, for the construction and repair of buildings of any sort whatsoever, neither for dwelling-houses nor for cattle sheds.

Kangra only.

17. In the Kangra tahsil, unpriced trees are to be found in most villages, but if in any village no unpriced trees are available, the lambardar, with the special permission of the Deputy Commissioner, may give for the purposes detailed in paragraph 16 crooked and unsound trees of the priced kinds or may allow oak and chil to be lopped to one-half their height for these purposes.

Nurpur and Dehra only.

In the Nurpur and Dehra tahsils unpriced trees are common, but if in any village no unpriced trees are available, the lambardar, with the special permission of the Deputy Commissioner, may give for the purposes detailed in paragraph 16 crooked and unsound trees of the priced kinds, or may allow chil trees to be lopped to one-half their height for these purposes.

Hamirpur only.

In the part of the Hamirpur tahsil left of the Beas in villages where the forests are almost exclusively chil, the lambardar, with the specal permission of the Deputy Commissioner, may give for the purposes detailed in paragraph 16 crooked and unsound trees of the priced kinds, or may allow chil trees to be lopped to one-half their height for these purposes.

The $\frac{\text{Deputy Commissioner}}{\text{Forest Officer}}$ will cause the trees that may be cut or lopped under this paragraph to be marked in suitable numbers and in reasonably convenient localities; and when there are trees so marked, the permits of the lambardar shall apply only to such trees.

In granting permission to lambardars to give these priced trees, the Deputy Commissioner may attach whatever condition he thinks right in regard to the payment of the full or any part of the zamindari rate fixed for these trees.

18. If the Deputy Commissioner considers that the lambardar is unfit to be entrusted with the authority described in paragraphs 12, 16 and 17, or if any lambardar abuses the authority conferred on him, and the forest in consequence becomes denuded or in any way damaged, he may appoint any other person (official or non-official) whom he may consider qualified.

Lambardars or other persons appointed under this paragraph shall keep such registers in which to record the number of loads of brushwood and of trees granted as the $\frac{\text{Deputy Commissioner}}{\text{Forest Officer}}$ may prescribe. In these registers they shall also make an entry of trees cut without permission for burning the dead in accordance with the report of the rakha.

19. Trees for building purposes, whether of the priced or unpriced kinds, may be cut only with the permission of the Forest Officer or of any Forest official specially authorized by him, and in granting trees for these purposes, the Forest Officer will be guided by the following rules, *viz.* :—

(1) One tree will be allowed for each rupee and part of a rupee, being 8 annas or more, of revenue paid, provided that the number of trees granted does not exceed 25, whatever the revenue paid, and of this maximum the number of chil should not exceed 10, but in special cases and for cause shown the Deputy Commissioner may in his discretion grant a larger number of trees.

(2) When trees are claimed on account of revenue paid in more than one village, the trees will be given from the forests of each village in proportion to the revenue paid in that village.

(3) Trees for building purposes will not be given when the right-holder applying for them has already got a suitable building in a reasonably convenient locality and of size sufficient for his requirements. For instance, sells half his holding to *B* who applies for trees free or at zamindari rates to build a house on the land he has purchased. *A* has on his land a house conveniently situated for the cultivation of the land sold. *B* is not entitled to trees free or at zamindari rates, as he bought only the right of *A*, who is not entitled to trees for another house.

(4) There is no right to receive the maximum or any number of trees, but only to receive such trees as are *bona fide* required for agricultural buildings reckoned according to the buildings now ordinarily in use among right-holders: and the Deputy Commissioner's decision on this point shall be final.

(5) Trees for building purposes will be granted ordinarily only once in five years, but for special cause shown, *e.g.*, a fire or other misfortune, the Deputy Commissioner may grant trees oftener at his discretion.

(6) Trees of the priced kinds will be given at the rates fixed, but when the trees are required by right-holders for use in another village from that in which they are growing, twice the ordinary rate will be charged. This rule is subject to the condition given in paragraph 8.

20. Trees required by right-holders for other than the purposes detailed in paragraph 3 (for instance, for tea boxes), or in excess of the grants made under paragraph 19, or trees required by non-right-holders, may be cut only with the permission of the Deputy Commissioner or of the Forest Officer under the Deputy Commissioner's control. Such trees shall be paid for at full market rates, and the Deputy Commissioner or Forest Officer may give or refuse such trees at his discretion: but trees shall not be sold under this paragraph, so as to interfere with the due supply of right-holders.

21. No tree of any kind or size may be cut within 10 yards of any public way or path without the special sanction of the Deputy Commissioner or Forest Officer.

22. Applications for trees for building purposes shall be in the form prescribed by the Deputy Commissioner. Such trees may not be cut until marked by a properly authorized Forest official.

23. Permits to cut trees shall be in force only for three months from the date of the permits. If the trees are not removed from the forest within that period the permit shall lapse, and the trees may not be cut nor removed unless the permit is renewed by the authority that first granted it.

No permits to cut trees of the priced kinds may be issued until the price has been paid, and the price of any trees not removed within the period of three months may be forfeited to Government.

The provisions of this paragraph apply only to trees supplied to right-holders.

24. Conditions as to lopping trees—

(1) The following trees may not be lopped for any purpose whatsoever:—

Deodar.	Duri.
Rai.	Tali.
Tos.	Sal.
Walnut.	Kikar.
Box.	Olive.
Tun.	Rhododendron.

(2) Chil may not be lopped without the lambardar's permission, as provided for in paragraph 17, in cases where there are no unpriced trees.

(3) All other trees of not less than a hath in girth at the ground, and all brushwood, may be lopped for manure and for fodder without permission, provided that the branches cut do not exceed a hath in length and a finger in thickness, and that the trees are not lopped to more than one-half of their height.

(4) The leaves of amil and dhau (or chal) may be taken by Chamars without permission for tanning purposes.

(5) The leaves of the taur and other creepers may be taken without permission.

25. Conditions as to bark—

(1) The bark of green trees may not be cut or removed under any circumstances.

(2) The bark of the taur and other creepers may be taken for thatching purposes with the lambardar's permission.

26. Conditions as to closing forests—

(1) One-third or some smaller portion of any forest, whether demarcated or undemarcated, may be closed against the exercise of all or any rights, provided that the rights of recorded right-holders are sufficiently and conveniently provided for in the open area.

(2) No forest will be closed until the right-holders have had an opportunity of objecting on the score that their rights will be unduly interfered with.

(3) Rights of way and of water shall be provided for.

27. Conditions as to extension of cultivation—

(1) In the demarcated forests, no land may be broken up or cleared for cultivation or other purpose, under any circumstances whatsoever.

(2) In the undemarcated waste, that is, in all unassessed waste, whether now bearing trees or not, no land may be broken up or cleared for cultivation or other purpose without the permission of the Deputy Commissioner.

28. The rights of user detailed in paragraph 3 are allowed subject to the conditions that—

(*a*) right-holders shall be responsible for the pay of the rakhas of the forests in which they have rights ;

(*b*) right-holders in demarcated forests shall maintain in proper repair the boundary pillars of the forests in which they have rights.

29. Wherever land cultivated at the Revenue Settlement, or broken up since settlement under proper authority, or assessed kharetar or unassessed kharetar or sawanas have been included in the demarcation of any forest, all rights admitted at the Land Revenue Settlement of 1868 in these fields, kharetars and sawanas, or admitted since that settlement by competent authority, may be exercised as heretofore.

30. The Government has given a four-anna share in the income from all sales of trees to the proprietors and officials of villages, but this share implies no property in the trees ; it is not a malikana, but is a grant made to secure the co-operation and assistance of the village communities in the conservancy of the forests. The grant may be increased or diminished by Government, and it shall be divided in any way Government may think proper : and it may be withdrawn at any time that the assistance is not duly rendered.

When any areas are closed against grazing, the whole income from sale of grass will be given to the village communities. As already laid down in paragraph 7, fruits, flowers, medicinal and edible roots and leaves may be sold : and in places where contracts are given by the village communities the income will be taken by these communities.

(31. In this tahsil there is at present only one demarcated protected forest, situated in Tappa Changar, village Sihaur-Bala. It is known as Ban Dhaur, and lies on the edge of the River Beas, the bed of which, with an area of 70 ghumaos, is included in the forest. The actual forest area is 379 ghumaos, common to the village. In this area Tipri Tika has full rights, and Choa Tika is entitled to grazing, grass and agricultural implements, and Chauki Tika only to grass.) *

No. 224, dated Lahore, 6th April 1894.

From—J. M. Douie, Esquire, Offg. Revenue Secretary to Government, Punjab,

To—The Senior Secretary to the Financial Commissioner, Punjab.

With reference to your letters No. 121, dated 17th February 1890, and No. 226, dated 31st March 1890, submitting Mr. Anderson's Forest Settlement Report of Kangra, I am directed to forward a note by Sir J. B. Lyall, dated 19th February 1892, and a note by the Lieutenant-Governor, dated 11th January 1894, and to request that the further action in regard to the forest settlement indicated in the latter note may now be carried out.

* Dehra only.

2. Sir Dennis Fitzpatrick's attention has been directed to a note recorded by the late Mr. O'Brien on section 24 (3) of the Kangra Record of Rights, in which he objects to the proviso "that the branches cut do not exceed a hath in length" on the ground that "almost all branches that are cut for fodder as Dhaman are more than a hath in length" and proposes that the limitation of size should be abolished. Mr. Anderson should be asked to consider this suggestion.

3. A petition, dated 14th March 1893, from the Jagirdar of Reh is enclosed. I am to say that Sir Dennis Fitzpatrick had either not seen this petition or had forgotten it when he wrote paragraph 17 of his note, and to request that the claims put forward in it may be considered in the light of the discussion regarding the rights of the Jagirdar of Nadaun, &c., in the waste lands included in their jagirs contained in the correspondence ending with my Revenue—Revenue Department letter No. 138, dated 9th February 1894.

4. It is possible that in dealing with so complicated a subject some points on which orders are required may have been overlooked. I am to request that any omissions of this sort may be brought to notice when Mr. Anderson again submits the case for orders.

Note by Sir James Lyall, dated 19th February 1892, on Mr. Anderson's Report of 20th August 1887 on Forest Settlement of Kangra Proper.

The only forest law which can be said to have been hitherto applied to the tracts in Kangra Proper to which Mr. Anderson's report refers, or rather to those tracts exclusive of the Siba, Nadaun and Goler jagirs, are the Rules of 1859 for the preservation of timber in the Government forests in the Kangra District framed under the General Rules of 1855 for the conservancy of forests and jungles in the hill districts of the Punjab. These are printed in Barkley's Non-Regulation Law of the Punjab at pages 368 and 375. The Rules of 1855 have often been supposed to be themselves directly applicable, but I think that, strictly speaking, it is only the Rules of 1859 which have direct force, as the Rules of 1855 were sanctioned by the Government of India as a general regulation giving the necessary powers to Government subject to the preparation and promulgation under it of sets of rules applicable to each district. It may be observed that the Rules of 1855, which were framed by the Chief Commissioner (Sir J. Lawrence) after inquiry from officers in charge of hill districts, took for Government great powers to preserve trees and brushwood in hill forests and jungles and to promote their reproduction, also power to demand fees for the felling and cutting of such trees and brushwood, but they took no power for Government in respect to other proprietary and manorial rights in such lands, and they contain a proviso "that the civil authorities do not interfere with the wood or fuel that may be really required by the owners or occupants of the land for agricultural or domestic purposes."

The Rules of 1859 have no preamble referring to the General Rules of 1855, and their connection with them was overlooked soon after they were issued. Doubts as to the legal validity of the Rules of 1859 were then entertained, and these doubts were a great restraint on any strict enforcement of the rules.

In 1869 (*see* my note and precis of 2nd March of that year) the connection of the Rules of 1859 with the Rules of 1855, and the validity of the latter Rules as a Regulation under the Indian Councils Act, 1861, were established. This and the declarations of Government rights in the waste and forest lands entered in the new mauzawar records-of-rights prepared in the same year in revision of settlement put the power of Government to enforce some kind of forest conservancy on a more secure basis.

2. In paragraph 8, referring to *trihais*, Mr. Anderson says that no special record-of-rights was prepared for them. I agree that none were probably necessary, but the reason he gives " as no rights exist " should not be misunderstood. The same general rights exist as in other adjacent waste and forest land, but have been suspended during closure. The closure was under Rule 20 of the Rules of 1859, and was meant to be temporary.

3. As to the eight villages in Kangra Tahsil named in paragraph 12, I observe that Mr. Anderson does not seem to exclude the areas of the Ban Mafis from his draft Notification No. (7). But this must certainly be done as has been done for the other two villages containing Ban Mafis (Jiyan and Chichian) in paragraph 2 of the record-of-rights. It was certainly the declared intention that Government should give up all its forest rights in these areas to the Khewatdars. The Deputy Commissioner must be presumed to be managing the fellings in these Ban Mafis for the Khewatdars by consent, and unless they combine to apply for the appointment of another manager in accordance with the clause in the Settlement Ikrarnamas, which is exceedingly unlikely, his management will no doubt continue. I adhere as to the Ban Mafis to the view recorded in paragraph 4 of Financial Commissioner's No. 457 of 11th April 1883, which was affirmed by paragraph 11 of Secretary to Government's No. 298 of 20th July 1883. But Mr. Anderson's legal argument against using Chapter IV for the remaining waste and forest areas of these eight villages, which are very extensive, seems invalid, and I see no reason why they should not be brought under the same notifications and rules under Chapter IV of the Act as similar lands in the rest of the Kangra Tahsil, but there should be separate notifications for them, in which it should be mentioned that the Ban Mafi is excluded, and that in the remaining area Government has bound itself for a consideration not to close under Section 29 (*b*) of the Indian Forest Act or any other law. These villages got in these Ban Mafis and in money a full *quid pro quo* for the small areas they gave to Government to be sold to tea planters, and there is no reason for treating them more leniently than other villages in respect to their remaining waste and forest lands.

4. The case of the 21 Nurpur and 38 Dehra villages referred to in paragraph 13 is different. These villages surrendered to Government all rights in certain blocks of forest in their boundaries which have become reserves free of rights under the Act on certain conditions, of which much the most important to their minds was no doubt the understanding that in the remaining waste and forest area the restrictive measures of forest conservancy which they most feared and disliked would not be applied. In this way it was distinctly promised that in such remaining area there should be no closure ; in some also it was distinctly promised that extension of cultivation should not be prohibited if the owners of the soil concerned agreed in asking for it and applied in the proper way. I agree with Mr. Young in thinking that this also was understood to be a general condition of the agreements in all these villages, though it was not recorded in all cases—*see* as to this Colonel Stenhouse's letter No. 113 C. of 13th August 1877, to Conservator, Punjab. In some of these villages, as Mr. Anderson notes, it was also promised that the old zamindari rate of four annas per tree required for building purposes should never be raised. Under these circumstances I agree with Mr. Anderson and Mr. Young that it is necessary to make a distinction in these villages, and that all that should be done is to make certain simple rules as to the use and management of the trees under Section 75. The rules proposed in Mr. Anderson's draft Notification seem too wide. I think they must be restricted to matters directly affecting the trees and brushwood.

It may be noted as regards Mr. Anderson's remarks in paragraph 14 that he writes incorrectly in saying that Government had already acquired full rights in the old *trihais* of the Dehra Tahsil. It had simply suspended all rights in them by closure under the old forest rules, which closure was intended to be temporary. The old forest rule on the subject says the closure may be for three consecutive years or for such periods as the district authorities may think necessary.

5. In paragraph 17 Mr. Anderson writes that the system on which he proceeded was "that the record-of-rights prepared under Section 28 of the Forest Act must justify and cover the imposition of all restrictions which it is considered necessary to apply." This seems wrong in principle. No doubt all true customary qualifications or restrictions of rights must be stated in the record-of-rights of Government and private persons, or the rights will not be truly described; but the exercise of admitted rights may be limited, suspended or prohibited under Section 29, or regulated by rules under Section 31. Whether the powers given by the Chapter are sufficient for what is wanted in Kangra is, however, a separate question, which will be considered presently. Again, in paragraph 18 he writes that "The general record-of-rights is founded on the Rules of 1859-60 and on the existing customs, which are not in all cases in accordance with the rules." Reading this passage with the record-of-rights prepared by Mr. Anderson, it is apparent that he has in respect to some matters, such for example as Government's power of closure of one-third, treated the Forest Rules of 1859-60 as rules of custom affecting the rights of Government and of private persons which he had to inquire into and record. He has also embodied in his record-of-rights forest conservancy arrangements and rules made subsequent to the Rules of 1859-60, or now proposed to be made. The Rules of 1859-60 are simply legal rules issued by Government under the authority of a regulation, and it is, I think, impossible to admit that they in any way affect the question of rights in land to be recorded under Section 28, unless it could be shown that they have existed independently as customary qualifications of rights. This could not of course be asserted for a moment in respect to the rule of closure of one-third, which is the example I have cited. It is not clear whether the later rules have any legal authority, and the proposed rules of course have not. In any case, they are out of place in a record-of-rights. The work which Mr. Anderson had to do in inquiring into rights and preparing a record of them was of the nature of a judicial finding of facts. He had no power to shape or alter rights, or to alter determinations of rights made and recorded in previous land revenue settlements, and the Local Government is bound to satisfy itself in the same spirit that the inquiry has been generally correct before it approves the record which will afterwards have a presumption of truth attached to it. The record-of-rights will, I consider, have to be revised in accordance with these principles, the entries excluded being shown separately as a statement of rules heretofore in force and of proposed additions and modifications. Such a statement will be useful as a basis for new rules under the Act.

6. With reference to Mr. Anderson's paragraph 25 and succeeding paragraphs, I think it necessary to make the following explanatory and qualifying remarks.

The basis of the legal rights of the Khewatdars or village proprietary communities (whom Mr. Anderson calls the first class of right-holders) in these forest and waste lands included in the boundaries of the mauzas is the determination of rights at the first regular settlement of 1849—1852, which determination *was more precisely* defined and recorded in the revision of settlement records of 1865—1869 made by order of Government mainly for that purpose. The determination of rights in land made at a first regular settlement is an independent operation, and does not hang upon the acceptance by the people of the sum assessed as land revenue. Before the revision of settlement of 1865—1869 began it had been more than once formally decided by Government that by the first regular settlement the Khewatdars had been made proprietors of the soil of all lands in mauza boundaries. The more precise determinations of rights arrived at in the revision of settlement of 1865—1869, which were approved and sanctioned by Government, are described in a general way in the report of that settlement, and they are given in full in the entries in the settlement records-of-rights for each mauza or village which were prepared in that settlement. I append to this note for reference an abstract translation of those entries in the village records which bear upon the rights of the State, of the Khewatdar proprietors, and of other parties in the forest and waste lands of Kangra Proper. They are practically identical in the records of all villages. The settlements of 1849—1852 and 1865—1869 were both made under the old revenue

law of the Province prior to the passing of the Land Revenue Act of 1871. This law consisted of the Settlement Regulations passed for the North-Western Provinces and embodied in Thomason's Directions to Settlement Officers. By that law Settlement Officers had power to determine rights in land subject to the right of objectors to sue in the Civil Courts to have the decision corrected.

7. It was determined and recorded at the settlement of 1865—1869 that the State had only reserved to itself :—

(a) The property in forest or wild-growing trees and brushwood in these lands, with the right to protect such property by forest conservancy laws or regulations and by refusal to allow in respect to them partition or cultivation or the making of new hay-fields or of new grazing allotments to Gujar herdsmen other than right-holders, to the extent deemed necessary for conservancy of the arborial growth.

(b) The right to pasture the flocks of the Gaddi shepherds in these lands and to take from them the *tirni* or grazing dues which they pay for such pasture.

It may be mentioned that the control over the grazing of the flocks of the Gaddi shepherds was reserved by Government at the special request of the shepherds, who dislike being put under the village communities. Both sheep and goats in these flocks feed in the winter more on leaves of trees and bushes than on grass.

It was also held that this property of the State in the arborial growth of these lands was itself not free, being subject to the servitude of certain rights of use or " bartan " rights of getting timber, fuel, leaves, &c., founded upon old custom and recognised in the records of the First Regular Settlement.

On the other hand, it was determined and recorded that, subject to the property in the arborial growth and powers connected therewith reserved by the State as above described, the Khewatdars of each village or hamlet, as the case may be, were proprietors of the soil of these lands. This property in the soil of these lands was also determined and recorded to be attached to the ownership of holdings of cultivated land, and to be sometimes subject to rights of use of third parties of the nature of rights of grazing or cutting grass created by grants of rulers or custom antecedent to the settlement of 1849—1852.

8. It follows from the above determination of rights that the State has no title to forest produce not of the nature of arborial growth, such as grass, or honey, or the medicinal or edible roots, fruit, flowers or leaves of plants, and that these belong to the Khewatdars as proprietors of the soil, who must be presumed to have the right not only to gather, but also to sell, such minor forest produce till such right is limited by virtue of some provision of law. It cannot be said that there is any custom to the contrary, for, as a matter of fact, ever since annexation, if not previously, the Khewtadars and their tenants with their permission have been in the habit of freely gathering such minor produce, and selling any part which was saleable and which they did not require for their own consumption, and the State has never collected or sold or granted licenses to collect and sell.

As to the edible or medicinal fruit of forest trees, these must be held in theory to belong to the State, as the trees are its property; but by custom and practice these tree fruits are also gatherable and saleable by the Khewatdars in the same way as the minor forest produce before referred to. This may be considered to be one of the servitudes or " bartan " rights to which the State's ownership of the trees is subject; but the right is exercised by the Khewatdars only : at any rate, they certainly would not allow other people to collect and sell fruit which was of any value.

8½. As to minerals, if the State has the right to mines and quarries, it must be in virtue of the general law of the Province as expressed in the Land Revenue Act, and not in virtue of its forest rights, or of any reservation made at the First Regular Settlement. The surface stones and earth of these lands belong to the Khewatdars as proprietors of the soil. The only quarries in Kangra

are slate quarries in the waste lands of two or three villages. These have for many years been worked by the Khewatdars or their lessees. The Government has made no claim, but has taken the income to the Khewatdars into account in lately re-assessing the land revenue.

9. In considering the existing state of rights in these forest and waste lands of Kangra Proper, either as between Government on the one side and the proprietors of the soil or third parties on the other in respect to the arborial growth, or as between the proprietors of the soil on the one hand and third parties on the other as respect rights of grazing or taking minor forest produce not of the nature of arborial growth, it is important to understand the effect of the measure known as Tika-bandi which was carried out in the settlement of 1865—1869. Down to that settlement all the Khewatdars or revenue-paying land-holders of each mauza were (with a few exceptions where the mauzas had been sub-divided into hamlets at Mr. Barnes' settlement of 1849—1852) the joint owners of the soil of these lands. At that settlement, in accordance with instructions issued by Government to the Settlement Officer before he began the work, the Khewatdars of each mauza were invited to partially sub-divide their proprietary interest in these lands by the measure known as Tika-bandi or definition of hamlet boundaries (see paragraphs 173, 174, Settlement Report). Accordingly in all but a very few mauzas this measure was carried out before the new records for each mauza were compiled. In some cases the whole of the waste was allotted to one hamlet or another; in others part was so allotted and part retained as the joint property of all the hamlets, or, in other words, of the whole mauza. This sub-division did not of course affect the Government property in the arborial growth, nor the burdens on that property in the shape of "bartan" rights of getting timber or brushwood for agricultural and domestic purposes belonging by custom to the Khewatdars of the mauza, and in a few cases also to those of other adjacent mauzas. But it was generally meant and understood to be a complete partition among themselves of the Khewatdars' own proprietary interest in the lands divided. That is, they ordinarily divided not only in respect to their right of cultivation, but also in respect to their rights of grazing and of collection and sale of grass and other minor forest produce. It was understood that in respect to the exercise of these rights the hamlets of which these mauzas are made up had already certain customary boundaries which they more or less clearly recognized among themselves in regard to the lesser wastes, if not to the whole of the waste land of the mauza. It was these customary boundaries which were supposed to be defined and recognized in the Tika-bandi. It follows that as between the Khewatdar land-holders of a mauza it must be presumed that these rights now follow the ownership of the soil unless there is proof to the contrary by entry in the records of the revision of settlement, or unless, in the case of a claim to a right of grazing, it can be shown that though such entry was by mistake not made, yet the grazing has been continuously exercised from old times and as of right, and was not considered in the Tika-bandi. A clause to this effect was entered in the settlement records of 1865—1869 with reference to grazing rights of one mauza or tika in the lands of another. The agricultural tenants of Khewatdars hold of course under their landlords, and their rights follow their landlords' rights. In a few cases some of the Khewatdars of one mauza, with their agricultural tenants, if any, had by old custom a privilege of grazing or cutting grass in certain adjacent forest and waste lands of another mauza. If these lands were sub-divided in Tika-bandi this did not of course affect such rights of third parties, which remained a burden on the interest of the owners of the soil.

10. The conclusions which I draw from the description given in the preceding four paragraphs are as follows :—

(1) The Government is only entitled to the major forest produce or arborial growth of the forest and waste lands to which Mr. Anderson's report and record-of-rights refer. This gives the Government power to apply Chapter IV of the Indian Forest Act, but it ought not to apply its provisions except to the degree required for the protection of the arborial growth. If with this

object and in virtue of power given by any forest law it takes into its own hands or otherwise regulates the collection or collection and sale of minor forest produce, the produce or the money realized ought to go to the proprietors of the soil. It was upon this principle that when parts of the forest lands were for the first time closed in 1860 or thereabouts, it was ruled that if the grass of these Trihais as they were called was sold the price must go to the Khewatdars or village proprietors. In paragraph 31 of the report and in paragraphs 7 and 30 of his record-of-rights Mr. Anderson admits that right-holders can sell minor forest produce of the nature of fruits, flowers and medicinal roots and leaves, but he excludes amongst others the important item of grass, which is, I think, contrary to the title of the proprietors of the soil and to custom. He also, as I understand, does not limit the right of sale to the right-holders, who are proprietors of the soil of the land producing the minor produce. I think this ought to be done, and that it would be in accordance with the determination of rights effected at the Land Revenue Settlement in Kangra Proper. He also seems to assume (see paragraph 31 of report, paragraph 7 of the record-of-rights, and Rule 3 under Section 31) that Government has a concurrent right to grant licenses for its own profit at such rates of payment as it may please to any person to collect and sell minor forest produce including grass. I hold that Government has no such concurrent right, and that it can only sell for its own profit its own property, that is the arborial growth, and that by custom it only sells the wood, the fruit even of trees being in practice a perquisite of the proprietors of the soil.

(2) It may be said that if the proprietors of the soil have a property in the grass which permits them to cut it for sale as well as for their own requirements, it follows that by the same argument they must have a right to lease the grazing, or to allow persons who have no recorded rights to graze cattle gratuitously or otherwise. And it may be added that this could not be prohibited by order under Section 29 (*c*) of the Act, nor if the right exists would it be restricted, as opposed to regulated, by rule under Section 31.

For the following reasons I think that this argument is wrong, and that, as stated in paragraph 9 of Mr. Anderson's records-of-rights, the Khewatdar proprietors of Kangra Proper have no such right, with the exception of the Khewatdars of the villages of Tahsil Nurpur and of Mauza Boh in Kangra Tahsil who have a special right recognized at the First Regular Settlement to allow Ban-Gujars or nomad Gujar herdsmen to continue to pasture their buffaloes at certain seasons according to former practice and to take certain fixed grazing fees from them. In the rest of the villages of Kangra Proper the nomad Gujars did not graze before the First Regular Settlement, and have not been allowed to graze since, and the clause as to Gujar grazing rights in the settlement records of 1865—1869 was intended to declare that, except where ancient custom to the contrary existed, the proprietary right of the Khewatdars in the waste and forest lands did not carry with it the right to allow Gujar herdsmen (other than Gujars resident in the village as Khewatdar proprietors of agricultural tenants) to graze in such lands. In accordance with that clause the Revenue and Forest Officers of the district have on several occasions authoritatively prevented the headmen of certain villages from commencing to introduce outsider Gujar herdsmen to graze cattle. This seems sufficient to prove the point as regards outsiders of the class of Gujar herdsmen. As regards other outsiders, there is no precise entry in the settlement records of 1865—1869, but the entry as to grazing rights in the First Regular Settlement records of 1849—1852 is worded so as to imply that the Khewatdars only have the right to graze their own cattle and sheep and goats, and they have never exercised any greater power since. It must be remembered also that, owing to the intermixture of trees and bushes and grass in these lands and the poverty of the grass at most times, all grazing is partly browzing on the leaves of trees and bushes. All grazing therefore more or less

considerably affects the property of the Government in the arborial growth. There is nothing therefore inconsistent in the proprietors of the soil having as against the Government a full right to cut grass whether for their own requirements or for sale, but only a limited right to graze cattle. Though I hold that the owners of the soil have no right to allow other persons to graze, I also hold that Government has also no title to license persons other than right-holders to graze. Mr. Anderson does not assert that Government has such a right in his report or record-of-rights, but Rule 4 of the Draft Rules under Section 31 would be understood to assert such a right.

11. Mr. Anderson's division of right-holders into four classes in paragraphs 26 to 28 of the report and in his general records-of-rights is, though correct, rather difficult to follow and confusing. Colonel Bailey, Conservator, in dealing with this report and the similar classification in the report for Shahpur-Kandi, was unable to understand the classification and the record-of-rights for villages connected with it.

There are really only two main classes of right-holders in the forest and waste lands under reference.

The first consists of owners of the soil, which is divided into two sub-classes—

(A) Those who are owners of the soil as Khewatdars or proprietors of the revenue-paying cultivated land of the mauza, or tika, as the case may be, to which the ownership of the waste or forest land is attached [Class 4 (1) of the record-of-rights].

(B) Those who are owners of the soil by grant or purchase of particular blocks or plots of waste or forest land from persons of Class A [Class 4 (2) of the record-of-rights].

Owners of the soil of Class B may in some cases own the trees on that land in virtue of a grant from Government, but they can have no claim to rights of use or customary "bartan" rights affecting the arborial growth of the land they have acquired or of their waste and forest lands of the village, as such rights are not transferable by persons of Class A except with the revenue-paying land to which they are attached.

Class B is a very small class, and is not likely to increase now that tea-planting has failed to pay.

Owners of the soil of Classes A and B have the same rights for their agricultural tenants as for themselves.

The second main class consists of persons who are not owners of the soil of the particular forest or waste lands referred to but have by custom certain rights or privileges of use or "bartan" rights over such particular lands. All the rights or privileges of persons of this class are based on old customary exercise and limited thereby. This class is divisible into two sub-classes—

(C) Khewatdars (for themselves and their agricultural tenants) of some other tika or mauza than that to which the ownership of the particular forest or waste land is attached.

(D) Non-agricultural residents of the mauza in which the forest or waste land is situated.

The rights of Class C are generally confined to a right of grazing or grazing and grass-cutting only as against the owners of the soil ... getting wood for timber and fuel as against G...

I agree with Mr. Anderson that Class D are not properly right-holders, and that privileges hitherto allowed to them, whether within the interest of the Government or that of the owners of the soil, should be held liable to resumption if abused. At all events, no new settlers of this class who have come into the villages since the First Regular Settlement should be considered to be legally entitled to any privileges. I agree also with Mr. Anderson that the privileges of this class should not extend to the demarcated forests.

Mr. Anderson's 3rd Class (paragraph 27 of report) is not, properly speaking, a separate class. The persons included in it are a class only with reference to the fact that they are all designated as right-holders in Mr. Anderson's "record of right-holders in demarcated protected forests." A combined record of this kind for the demarcated forests of each tahsil is given in Appendix III. This class includes my Class C, and not necessarily all members of my Class A, but only those members of the class who have in practice commonly exercised certain rights according to Mr. Anderson's inquiries. It may be useful to know with reference to closures what members of Class A have been commonly exercising particular rights, but if they are all entitled to exercise certain rights as owners of the soil, it seems likely to give rise to misapprehensions if notice of the fact is not entered in this record. My Class B does not come into it, as the particular lands in which men of Class B have rights were not included in demarcated forest.

Mr. Anderson's 4th Class (paragraph 28 of report) is also not a separate class, but refers simply to undemarcated as distinct from demarcated waste and forest lands, and includes by a general definition all persons who may have rights or privileges in such lands : in other words, it includes my Classes A, B, C and D. The general definition which Mr. Anderson says has been given is that contained in his general "record-of-rights" for each tahsil in Appendix III to the report.

12. As to paragraph 31 of the report, I have given reasons above for holding the rights of those right-holders who are owners of the soil are in respect to minor forest produce and the fruit of trees not mere rights of use.

13. As to paragraph 37, I remark that when the Rules of 1859-60 were sanctioned it was expressly said and intended that the Lambardars should be able to give permission to right-holders to cut trees, not only for fuel but also for agricultural purposes, such as implements, poles for machans, sheds, &c., but the rule said that the Lambardars were to use this power only in respect to kinds of trees not yielding valuable building timber. This was in accordance with the entries in the Land Revenue Settlement Records of 1849—1852, which were generally to the effect that the right of cutting or selling big trees in forest and waste land belongs to Government, but that the land-holders of the village can cut small timber required for agricultural implements with the permission of the Lambardar, and if big timber is wanted for building will get permission to cut from Government. Down to 1869, when I left the district, this rule of practice was well known and generally acted on. Since then the Forest officials have no doubt practically restricted the Lambardars' powers by stricter interpretation of the rules, which are so badly worded as to be capable of very varying interpretation. To altogether take away the privilege of cutting with permission only of a village official would practically be a serious diminution of the rights of the villagers.

14. The regulations as to the supply of trees or brushwood to right-holders, the lopping of trees, and gathering of leaves of trees, which are commented on in paragraphs 38 to 54 of the report and given in the form of rules in paragraphs 11 to 25 of the record-of-rights, are no doubt founded generally on present practice, but the regulations are more definite and uniform than the practice and they contain many conditions which are admittedly new and have been devised by Mr. Anderson and the Forest Officer as improvements. The present practice also is in most matters founded on the Forest Rules of 1859-60, and on executive orders subsequently passed, and not on old custom of the country. As I have said above in paragraph 5 of this note, it seems not possible to admit that these regulations can rightly be given a place in what purports to be a

record-of-rights prepared under section 28 of the Indian Forest Act. To the regulations themselves considered as equitable rules there is little to object, but I have some remarks to make with respect to what Mr. Anderson says in paragraph 40 of the report in deprecation of the increase in number of priced as distinct from reserved trees, and what, on the other hand, the Conservator, Colonel Bailey, says in his opinion on the report. It will be seen that Colonel Bailey proposes to double or quadruple the prices taken at present from right-holders for some of the most generally used trees. As Mr. Anderson says in paragraph 47, right-holders originally got trees free in accordance with old native custom and the entries in Barnes' Settlement Records. It was, I believe, in 1859, not in 1856, that they were first ordered to pay a zamindari rate of 4 annas for good trees of those classes which yield good building timber. This price was fixed not to bring in revenue, but as a measure of forest conservancy, to make the right-holders prefer to use inferior kinds of trees when the best timber trees were not necessary for their purposes. The villagers grumbled at this as an innovation and as contrary to their right to get wood and timber free for their own requirements recorded at the First Regular Settlement, but were told that it was a forest rule passed for the general good. If they had been lawyers they might have argued that the imposition of a price was "interference" with the supply of their requirements within the meaning of the proviso to the Rules of 1855 quoted in the 1st paragraph of this note; but they were too ignorant and illiterate to be able to question any orders of Government. The price was at first only levied for a few kind of trees. In 1873 the Conservator of Forests proposed to add to the list and raise the prices for some of the more valuable kinds. This was sanctioned without any question. Only some 20 trees seem to have been put on the list then. Now the number on the list has risen to 62, and it is said in paragraph 47 that after the expiry of Mr. Barnes' settlement (which has expired already) Government will charge what price it thinks proper. If zamindari rates may be raised indefinitely and the number of trees on the list be increased so as to include all but worthless wood, the right-holders' customary rights on the arborial growth will be reduced to little or no value. This would be confiscation, not regulation, of the right. It is not usual, I believe, in India or other countries to charge a price for wood or timber which right-holders on a forest can claim as of right for their own necessary domestic and agricultural purposes and not for trade or profit. These agricultural right-holders must be housed and have fuel to carry on their business as cultivators and payers of land revenue, and the assertion at the end of paragraph 47 that "the most that Government can do is to assess these rights to revenue as part of the assets of the villages," though true as regards other minor forest produce which the Khewatdars may sell for a profit, is unmeaning as regards their rights to get wood for fuel and timber, as they make no profit from those rights which could come into the land revenue settlement account.

I agree, however, that to induce these right-holders to be properly moderate in their demands and to use inferior instead of superior trees where the inferior are really good enough for their requirements it is right policy to put a small price on inferior kinds and a somewhat higher but very moderate price on superior kinds; but I think, as I shall explain presently, that a large share of the money so realized should be assigned to the Khewatdars and village officers of the mauza to secure their good will and support. It should also be recognised that in these village forests the fair customary demands of the right-holders have the first claim on the arborial growth. After they are satisfied, the State has the right to make what profit it can by sale of wood to traders or other outsiders. This principle was declared in the village records of the land revenue settlement of 1865—1869 (*see* clause 44 of the Ikrarnama papers of that settlement).

15. With reference to paragraph 57 of the report, I understand that the draft notification under Section 29 (*b*) (No. 16 of Appendix I) refers only to the Trihais or areas already closed under the old rules. If so, there is no objection to the notification issuing at once. In paragraph 26 of the record-of-rights the conditions are given which must be fulfilled before new closures are made. It is very necessary that these conditions should be understood and never disregarded. The assertion that the old Trihais may be kept closed indefinitely is, with reference to what I have said in paragraphs 2 and 4 of this note, open to

question. Whenever a new area is closed in a village containing an old Trihai the Khewatdars will expect the latter to be opened, and, unless there are strong reasons to the contrary, it should be done.

16. I agree that, as Mr. Anderson says in paragraph 58 of report, he could not have recorded the closing of bamboo forests for three months in places where it has not been done for many years if ever. I doubt if it is true that the custom at one time prevailed not only in the Raja's jagirs and certain Nurpur forests (such as those claimed by the Mahant of Dhamtal), but also all over the district. I was in the district in 1862-63 and again in 1865—1869 and never heard of it, and the Forest Rules of 1859-60 are silent on the point. Where the custom prevailed it must have been kept up by certain private persons interested, not by order of the District authorities. In the Raja's jagirs, where the custom has been kept up, it has been rightly recorded, but without a notification or rule issued under some law it is difficult to see how breaches of the custom if they occur can be legally repressed. Notifications under Section 29 (*b*) might, I suppose, issue annually, but it would be a cumbrous system.

If we have to legislate, the custom might no doubt be revived everywhere with advantage.

17. I agree in the necessity of the principle in paragraph 59 of the report that no extension of cultivation of these forest and waste lands shall be permitted without the permission of the Deputy Commissioner. This is in accordance with the entries in the village records of the Land Revenue Settlement of 1865—1869 which declare that both for partition and cultivation of these lands application must be made to the Revenue authorities, and that cultivation can be prohibited in the interest of forest conservancy.

18. In paragraphs 60, 61 and 62 of the report Mr. Anderson proposes that (1) the Rakhas should get cash pay from the villagers instead of irregular grain payments as at present, and (2) that 4 or at least 2 annas more out of every rupee of income from the forest should be given half and half to the Lambardar and Rakha in addition to the 4 annas already given. The 4 annas already given go by the old rules as follows :— $1\frac{1}{2}$ annas to Lambardar, 1 anna to Rakha, $\frac{1}{2}$ anna to Patwari, 1 anna to all Khewatdars.

As to these proposals I must begin by saying that I do not agree that there is little or no advantage in giving a share in income to the Khewatdars or village proprietors as distinct from the village officials. No doubt the 1 anna which has been their share hitherto has been too small to influence them much and they have often hardly cared to fight to get it, but they would be much influenced in the direction of accepting and supporting forest conservancy if they got a larger share, and would in the end make the Lambardar pay it to them.

In Hoshiarpur, where they get 8 annas in the rupee of sale of wood from village lands in villages where part of the forest was surrendered to Government, I observe that the measure has had these effects. I believe that we shall never attain to a satisfactory position in the management of these village forests till the proprietors of the soil see that if they as right-holders are inconvenienced by our arrangements they gain by them as proprietors.

With reference to these remarks and to what I have said above in paragraph 14 of this note I consider that out of the price realized for trees from right-holders an 8 anna in the rupee or half share should in future be assigned to the village officers and Khewatdars of the mauza from the lands of which the tree was cut, to be divided as follows :—

Out of every rupee so assigned—

3	annas to go to the	Lambardar.
3	ditto	Rakha.
2	ditto	Patwari.
8	ditto	Khewatdars of mauza.

The Patwari in return for his share would have to write up registers and keep accounts for the Lambardar.

In respect to trees sold at full prices by the Forest Officers to traders or other persons, and therefore not classed as given to right-holders, I would maintain the old rule of giving a 4 anna or quarter share of the price realized to village officers and Khewatdars, but would divide the amount so given also in the same way as proposed above, and not on the old shares mentioned above. In many villages in Kangra Proper sales at full prices to traders seldom or never occur: in the rest they are only occasional. It is in the management of the right-holders' consumption that it is most necessary to interest the village officers and Khewatdars of the villages containing forests in forest conservancy, and to reconcile them to the principle of payment for the wood they themselves get as right-holders. It is not important to consider the feelings of the Khewatdars of villages which have no forests in their boundaries, but have rights to get trees from the forests of other villages. These pepole are not a large class, nor can they help us in forest conservancy.

The arrangement above proposed while giving a substantial share to the Khewatdars will also increase the average annual receipts of the Lambardars and Rakhas, though in the case of villages in which large sales to traders occur it would on such occasions give these officials a smaller share than the old rule. The payments due to village officers and Khewatdars under the above arrangement should be withholdable or confiscatable for a period in case of misconduct by order of the Deputy Commissioner if for a year or less. Commissioner's sanction should be requisite for periods more than a year. I do not think there would be any complication in it, as the Forest Department keep, I believe, separate account of supplies to right-holders, and sales at full prices, but the Conservator must be consulted as to this. If any further improvement to the Rakha's pay is necessary, I think it should be effected by Government paying a small share of his monthly cash pay, the rest being paid by the Khewatdars by a rate of the nature of a light cash commutation for the grain fees now paid.

19. As to paragraph 63 of report the concessions requiring sanction in three cases may be sanctioned. The records-of-rights prepared by Mr. Anderson for these special cases will be noted on separately below if necessary.

20. As to paragraphs 65 to 71 of the report regarding the Taluka of Kutlehr, there is first this to be said that the Raja's acquisition of the proprietary rights in the soil of the common waste of the Jagir Tappas has been disputed in the Land Revenue Settlement now in progress on the ground that the consent of the Khewatdars to the transfer, which was effected merely by mutation of names in the annual papers (Dakhil Kharij), was obtained by misrepresentation on the part of the Raja or his agents. I have lately heard unofficially, but on the best authority, that the Raja has formally renounced all claim under these Dakhil Kharij proceedings, and has agreed to the restoration of the original entries in favour of the Khewatdars. He has, I think, acted wisely in so doing. This being so, the proceeds of grass from the Trihais will go to the Khewatdars in future in Jagir as well as Khalsa Tappas, and any right to sell minor forest produce and take the income therefrom which is held to belong to the Khewatdars as proprietors in other parts of Kangra Proper under former Land Revenue Settlements will belong also to the Kutlehr Khewatdars, and not to the Raja or to Government. The only difference as between the rights of Khewatdars in Kutlehr and elsewhere in Kangra Proper settled by Mr. Barnes will be that if any outside Gujars are permitted in future to graze in any forest lands the Raja will, as in the past, give the permission and take the fees. The Khewatdars have not, as in Tahsil Nurpur, any right to such fees. I think, however, that the Raja's right to introduce such Gujars should be strictly limited to a customary number. The Raja's position will in fact be that of manager during good behaviour for Government of its interest and perpetual grantee from Government of a certain share of its forest income. As between the Raja and Government, the only other peculiarity is that the fees from Gaddi shepherds belong by the First Regular Settlement record-of-rights to the Raja, and this was accepted by Government in 1868, when it gave him his jagir in Kutlehr and the management of the forests. It should be remembered that the grant to the Raja of the management of the forests in Kutlehr and rights connected therewith was not made as a pure matter of favour. It was given in recognition of the ancient manorial rights of the family and of the facts and entries

in the First Regular Settlement Records stated in paragraphs 3 and 4 of Settlement Officer Kangra's No. 12 of 2nd February 1868 to Commissioner. The proposals made in that letter were sanctioned by Secretary to Government's No. 49 of 11th January 1869, but do not appear to have been recorded in any sanad as no new sanad was given to the Raja in exchange for the old one granted for the jagir in Hoshiarpur. In carrying out these orders the Deputy Commissioner misconstrued them in certain respects. This was brought to light by the Joint Report of 1882, and it was then decided by Secretary to Government's No. 567 of 26th December 1884, that the existing position, which was somewhat more favourable to the Raja on the whole, should be maintained, the orders of 1869 being held to be revised accordingly to the extent necessary.

21. Mr. Anderson deals with the old jagirs of the Rajas of Nadaun, Siba and Goler in paragraphs 72 to 78 of his report. These tracts were, with sanction of Government, excluded from the First Regular Settlement of 1849-1852, and from the revision of Settlement of 1865-1869, the policy of those days being to preserve the influence and consideration of these Chiefs, and to maintain existing customs and privileges as far as possible. Mr. Anderson has not attempted to decide to whom the ownership of the soil of the forest and waste lands in Nadaun and Goler belongs. He rightly, I think, left that to be decided in the Land Revenue Settlement now in progress, but, on the analogy of the findings in the Summary Settlement of Siba, he holds that it will not be found to belong to Government. He might safely have gone further and have held on the analogy of Siba and Lambagraon that the Chiefs or Jagirdar Rajas would be held to be proprietors of the soil of the larger wastes and superior proprietors, if not full proprietors of the lesser wastes of the kind classed as Graon ke Banne in the Siba Settlement Report. Mr. Anderson, however, goes on to say that " In order to justify the waste of Nadaun, Goler and Siba being declared protected forest under Chapter IV, it is sufficient that the trees on the waste belong to Government, and on that point there is no doubt." He adds in the next paragraph that " The right to one-half the sale proceeds of timber which Government has conferred on the Rajas was granted as an act of pure grace, and may be withdrawn at any time," and that " the Government has given the Rajas the management of the forests, but that is also subject to their fulfilling all the conditions imposed on them." These assertions of Mr. Anderson's seem to me, to say the least, to rest on no sure grounds and to be open to the gravest doubt. Looking at the matter judicially, I do not feel able to express concurrence in these findings. The Rajas themselves are more or less illiterate and ignorant of law, but from my long acquaintance with them I am sure that they would not intelligently or willingly assent to these findings. The property of Government in trees on the forest and waste lands of villages in Kangra Proper which came under the First Regular Settlement is a remnant or survival of the general proprietary right in such lands asserted by preceding rulers. The origin of that right was the proprietary titles to all lands in their territories claimed from ancient times by all Hill Chiefs in this part of India. That title of course included the trees. It was a saying among the hill people that these Chiefs regarded the forest as their garden. These Jagirdar Rajas of Kangra are persons who hold certain tracts left to or assigned to their ancestors by the Sikh Government in recognition of their claims as representative members of the family of the Raja or Chief from whom the country was conquered. If then these Jagirdar Rajas are rightly held to be proprietors of the soil of these forest and waste lands, it is because they are found to have inherited or got possession of the rights once owned by those Chiefs, and the natural presumption is that the property in the trees would also belong to them. To rebut this presumption Government would have to show that it had a title by some law, or that by some act of State it had taken possession of the property in the trees and had so acquired the right. This cannot in my opinion be shown. It might have framed rules under the Regulation of 1855, and taken possession of the trees by force of them, but it has not done so, and if it had done so its possession would only have been in virtue of the rules, and would not have affected the question of proprietary right. It may be added that the Rules of 1859-60 were framed for the rest of the district, and not for

these old jagirs to which they were not applied or considered applicable in former years. If they have to some extent been held to apply in recent years, it must have been done informally by the District authorities to give the Rajas power to punish for forest offences. The two main provisions of these rules, that is the Thak Tribai and the imposition of a price to be paid by right-holders for building timber, which in the rest of the district were the chief indications of the imposition of the rules, have never been applied to these jagirs. Apart from such indications, the fact is notorious that the rules were not intended to apply: in forest as in revenue matters the Jagirdar Rajas were left to administer according to old native custom.

22. To show more clearly how the case stands in the three jagirs of Siba, Nadaun and Goler, I will give a short history of it for each of them.

In Siba the origin of our claim to manage the forests on payment to the Raja of half gross proceeds is in Section X of Mr. J. Lawrence's letter as Commissioner of the Trans-Sutlej States to the Government of India, No. 147-889 of 24th July 1847.

The question was raised by a quarrel between Raja Ram Singh and his cousin Bijje Singh, to whom the Sikh Government had assigned a part of the Raja's territory in jagir. Bijje Singh claimed a share of the forests as going with his jagir: the Raja asserted his right to the whole. Mr. Lawrence found that the Raja was cutting and selling to traders a large quantity of timber, and to prevent the forests being destroyed, recommended that Government should take over the management, and pay the Raja half proceeds. He seems to have recommended this not on the grounds of any right or title of Government, but as a matter of policy, Government being able at the time to dictate to the Raja as it had the power to confiscate his jagir. The Government of India in paragraph 7 of its reply, No. 2523 of 3rd October 1847, in sanctioning the terms of the sanads to be given to the various Hill Chiefs, ruled in the paragraph relating to Siba that the forests should be taken under our management, half proceeds being made over to the Raja. Siba was then attached to the Hoshiarpur District, and it was no doubt in consequence of these orders that very soon after the Settlement Officer of Hoshiarpur made a forest demarcation in Siba, in which four blocks of the best forest land were excluded from village boundaries and set apart as forest for management by Government. Before, however, Government could actually take up the management of these blocks, Siba was tranferred to the Kangra District, and Mr. Barnes, the Deputy Commissioner and Settlement Officer of Kangra, with the approval of Government, maintained the Raja in the management of these blocks as well as of the rest of his jagir territory. With reference, however, to the sanad, the Raja was told to pay half proceeds of the four blocks to Government, and he was glad to do it to prevent our interference, though by the change the cost of management was thrown upon his share of the proceeds.

In all this there is nothing to indicate that Government claimed the property in the trees in the Siba forests, or that the Raja's half share in the proceeds was a grant of pure favour resumable at pleasure. The orders were passed at a time when the orders of Government were the only law in the Trans-Sutlej States, and they were passed as a condition of the sanad or deed of grant of the jagir. The arrangement that Government was to bear the cost of management and pay the Raja half the gross proceeds indicates that his rights were felt to be strong.

When Raja Ram Singh died without issue and the jagir, under the strict letter of our sanad, lapsed, and was re-granted to Bijje Singh, the new sanad prepared by the Punjab Government and approved by the Government of India in 1878 was entirely silent as to any claim by Government to forest rights of any kind. It was carefully worded so as neither to confer proprietary rights on the grantee, nor to cancel or otherwise affect any proprietary rights which might belong to him by custom or

usage as Chief of Siba. As it happens, the new sanad has not yet issued. Its issue was in the first instance deferred till the conclusion of the Summary Settlement of Siba, in order to retain powers to induce the Raja to accept the settlement arragements as to his relations with the peasants, and Bijje Singh's son and successor, Raja Jai Singh, has preferred not to take the sanad lest he should be held to have accepted those arrangements as final.

In the Summary Settlement, Mr. G. L. Smith, the Settlement Officer, found that the Raja was superior proprietor of the estates in the jagir in the fullest sense, and entitled to all manorial rights in forest and waste lands—*see* his memo. appended to his assessment report. Colonel Davies as Commissioner concurred. In my note as Financial Commissioner on the assessment report, dated 14th June 1880, I held that the Raja was proprietor of waste and forest lands in Siba subject to rights of user of the peasants and to the right assumed to itself by our Government, in respect to Siba in 1847-48, of interfering in forest management and claiming half income from sale of timber. Mr. Anderson, who finished the settlement and submitted the report of it, repeated my definition—*see* paragraph 92 of his report, dated 18th July 1891. The Financial Commissioner and the Punjab Government approved the findings. Nothing was said throughout to imply that the trees in the demarcated or undemarcated forest were not the property of the Raja, or that they belonged to Government. In the undemarcated forests the Raja has, as against Government, been in sole possession up to date and Government has decided to advance no claim to a share of income. From the above history it seems to me that the Raja's right of property in the trees in waste and forest lands must be admitted, and that if Government claims the right of management or share in proceeds, it must be in virtue of some condition to be inserted in the jagir sanad or of some provision of forest law.

23. To take Goler next, by the original orders of 1847-48 this Raja was to have had the status of a Ruling Chief, in which case undoubtedly Government would have made no claim to forest rights in his territory. Owing to his careless disposition and the scattered condition of his jagir villages, action on these orders was suspended, and they were eventually revised so as to give him no higher status than Siba or Nadaun. In the sanad granted to him dated 16th August 1853, four forests are mentioned, and it is said that the rights of sporting, &c., granted to him in these by Maharaja Ranjit Singh will be continued, but that these forests are either wholly or partly attached to khalsa, not to jagir villages and included in their boundaries, and that the Raja shall not have the right to cut such part of the said forest as is within khalsa village boundaries. This appears to admit his right to cut in the rest, *i. e.*, in forest land within his jagir boundaries. With the exception of one other small block, there is nothing else which can be called forest land in the Goler Jagir. The rights of use of the villagers of khalsa villages in the old boundaries of which parts of these four forests are included were recorded at the First Regular Settlement. How the ownership in the soil of such parts was recorded at the Land Revenue Settlements of 1849-1852 and 1865-1869, whether in the name of the Raja or of the villagers, is not apparent and will have to be investigated. These four forests were all old shikargahs or shooting preserves of the Goler Rajas, though, as was usual in the hills, they were included in mauza boundaries which followed natural features of the country, such as the ridge of hills or the course of streams. The whole case of the Goler Raja's forest rights is fully given in the Joint Report of 1882, in which it is stated that they have been under the sole control of the Raja without any interference on the part of the District or Forest authorities. It is added that the Raja has been forbidden to cut for sale, but no order to that effect seems to exist as regards the part of these forests properly in jagir boundaries. The Raja claims and has exercised proprietary rights over certain classes of trees growing on cultivated lands in his jagir. In my marginal notes on the letter of the Commissioner forwarding the Joint Report of 1882, I stated that when acting as Settlement Officer of Kangra in 1865-1869, I thought that forests in the Goler Raja's possession belonged absolutely to the Raja and that Government would admit this.

24. The sanad granted to Raja. Jodhbir Chand of Nadaun, in accordance with the orders of the Government of India of 1847, makes no reservation as to forests or forest rights in granting the jagir villages which contain those forests. Attached to the letter of Mr. J. Lawrence, No. 147 of 24th July 1847 (referred to above in the Siba case), there is an appendix containing lists of the villages, details of miscellaneous income which the Chiefs had enjoyed, and notices of Sikh sanads held by them. This shows for Nadaun that the last sanad which Jodhbir Chand got in Sambat 1897 from the Sikh Maharaja mentioned that the forests went with the revenue of the villages. It also shows that the Raja used to get the Ban Waziri or forest income, but this heading of account was mainly made up in those times of many petty taxes not properly forest income, and it was proposed that these should be abolished as injurious to the people. There is nothing in the correspondence proposing the terms of the sanad or in the sanad itself to indicate that Government intended to claim a property in the trees in the Nadaun Jagir. It appears, however, from some other old correspondence that soon after Mr. J. Lawrence had observed the destruction of Siba forests and had thereupon, as above described, made a special recommendation in their respect in his proposals for sanads to the Hill Chiefs, he was applied to by Raja Jodhbir Chand who asked if there was any objection to his felling and selling to traders certain timber in his jagir. To this application Mr. J. Lawrence as Commissioner is said to have replied that he must not sell to traders. This order was given in the interest of conservancy, but did not assert any right of Government to sell. Thereafter the position was that the Raja managed the forests and took what wood and timber he wanted for himself, and gave what he thought right to the villagers, but neither he nor the Government sold trees to traders. In 1875 the Deputy Commissioner suggested that the Raja should be allowed to sell to traders like the Siba and Kutlehr Rajas and to pay a share of the proceeds to Government. The facts were at first entirely misunderstood by the Financial Commissioner and the Government, but on another reference it was ruled that the Raja was to have the management of the forests under the general supervision of the Forest Department, with power to take for himself and give to his villagers, and to get half proceeds of sales to traders which were to be made by the agency of the Forest Department. These orders were passed in the correspondence ending with Secretary to Government's No. 971 of 25th August 1879, to the Financial Commissioner. There is no assertion in this correspondence of a proprietary right to the trees vested in Government, and it shows that Messrs. Melvill and Brandreth, Commissioners, and Dr. Cleghorn, Conservator, considered the trees to belong to the Raja though Mr. J. Lawrence had refused to give him permission to sell to traders.

The Joint Report of 1882 shows that the Raja had had entire management of the forests up to then, without supervision of the Forest Department, or direct interference by the District authorities.

25. The case of the jagir of the Raja of Lambagraon was precisely similar to that of the Nadaun Jagir, but owing to the minority of the Raja the estate was under the Court of Wards in 1865-1869 and was brought under regular settlement then. I held as Settlement Officer that the one large demarcated forest belonged, soil and trees, to the Jagirdar Raja and that he was also by custom owner, with reservation of the rights of use of the villagers, of trees in waste and forest lands in village boundaries. This finding was reported to and approved by Government, and consequently the inquiry included in the joint Report of 1882 was not extended to this jagir and the Forest Department have had no management or supervision. This case is a strong precedent against a claim on the part of Government to ownership of trees in the Nadaun, Goler or Siba Jagir forests.

26. The case of the Rupi Jagir of the Rai of Kulu is peculiar and affords no precedent applicable to other cases. The original holder of this jagir, Raja Thakur Singh, had by his sanad the status of a Ruling Chief like the Simla Hill Chiefs. That status would have undoubtedly prevented Government from claiming any forest rights, but he died leaving only one son, who was strictly

speaking illegitimate, and under the terms of the sanad it was in the power of Government to hold that this son was in no sense an heir, and that Raja Thakur Singh's rights of all kinds lapsed to itself. After resuming half the territory Government soon after gave the whole to the son, Rai Gyan Singh, but to be held as a jagir only without powers of a Ruling Chief. In drafting the new sanad the Commissioner, in the interest of forest conservancy, but without any express authority in the orders of Government, inserted a clause reserving to Government the control of the forests and all income from sale of timber, but not asserting a claim for Government to other miscellaneous forest income, which Colonel Lake intended to leave to be enjoyed either by the Rai or by the villagers in accordance with past custom (*see* paragraph 109 of Mr. Anderson's Kulu Forest Report). This clause was thereafter enforced with some modifications in regard to the admission of the Rai's right to take timber and fuel free for his own requirements. The clause has also been subsequently ratified by Government with some modifications. Rai Gyan Singh and his son, the present Rai, have always protested against it, but without avail.

27. The conclusions I draw from the facts stated in the six preceding paragraphs are that the first and most important of Mr. Anderson's three assumptions quoted in my paragraph 21, *viz.*, that the trees belong to Government, is not true of the Siba, Goler and Nadaun Jagir forests, and is doubtful even in the case of Kutlehr.

The second assumption, that the share of proceeds which the Raja of Siba gets in his demarcated forests by the orders of 1848, the Kutlehr Raja by the orders of 1869, and which the Raja of Nadaun would get by the orders of 1879, and the Raja of Goler by paragraph 8 of the orders on the Joint Report, can be withdrawn at any time, is I consider not true in any case.

The third assumption, in so far as it assumes that the Government has the management of the Jagir forests as a matter of right independent of any law or that it has taken over the management under some law, and then conferred it upon the Rajas, seems also generally inadmissible, though in the Kutlehr case power to take back the management was reserved by the orders of 1869, and in the Siba case a clause in the original sanad assumed for Government powers of management which were, however, by subsequent orders left with the Raja. It follows from these conclusions that I hold that it was too hastily assumed in the Joint Report and in the orders on it passed by Government (Junior Secretary to Government's No. 557 of 26th December 1884) that Chapter IV of the Forest Act can be applied to all the forest and waste lands in the Jagirs included in the Joint Report. I do not think it is applicable to Nadaun or Goler or to Siba generally, though it may be applicable to the four demarcated forests. It is probably applicable to Kutlehr, though even in this case doubts might be raised.

28. No other part of the Act seems applicable or suitable to these Jagirdar Rajas' forests, and though it might be possible to frame rules under the Regulation or Rules of 1855, I am now strongly of Sir Charles Aitchison's opinion that that regulation is too loose and unprecise, not to say arbitrary, to form a suitable basis for the issue of new rules for any part of Kangra. I think therefore that legislation will be necessary to establish a proper system of forest conservancy for these jagirs. The management should belong to the Jagirdar Rajas under the supervision of the Forest Officer and Deputy Commissioner, but Government should have power to take the management out of the Rajas' hands for such time as it might deem necessary in case of continued mismanagement involving serious injury to the forests, or in case of disputes between the Raja and the right-holders and well-founded complaints of injury to their rights. In respect to payments by agricultural right-holders, I think the Rajas should be bound by the law not to demand higher prices for trees than may be sanctioned by Government, but I do not think that Government should demand from the Rajas any share of such income or of any income from minor forest produce to which they (the Rajas) may be entitled by custom, so long as the management is in the Rajas' hands. If the Government takes the management into its own hands, I think it should be empowered to retain one-fourth

of such income towards cost of management and pay the rest to the Raja. As to sales of wood or timber to traders, I think they should require the previous approval of the Forest Officer as regards trees to be felled and minimum prices to be accepted, and that one-fourth of the gross income from this source should be secured to Government by the law in return for the supervision of its officers. Whenever Government takes the management into its own hands it should be empowered to retain another one-fourth (or one-half in all) of this class of income.

29. The question mentioned in paragraph 78 of the Report as to dispute between the Jagirdar Rajas and the villagers as to rights in trees or fields will be settled by the Settlement Collector in the first regular settlements of Jagirdar Rajas' estates now in progress. A copy of paragraphs 20 to 29 of this note should be sent to the Settlement Collector for information and guidance. But pending legislation for forest conservancy in the jagirs under first regular settlement it will be better that he should make no entry as to rights of ownership in trees on waste and forest lands in these jagirs. He should, however, notice the question fully in his report and give his own opinion on it.

30. As to the question regarding Gaddi shepherds discussed in paragraphs 80 to 91, the Gaddis have complained very much of the rule requiring them to stay not more than one day or two at most in the open unassessed waste in moving down to their winter runs and returning. I think that the rule must be leniently enforced, and I doubt whether it is possible to enforce it without a considerable relaxation as to time in respect to the Dhars on the main range. In order to enforce such moving on, it is no doubt necessary to have power to realize extra grazing fees of the nature of fines from Gaddi shepherds who stay on more than the time ordinarily allowed without good excuse. But it is difficult to see how a rule giving the power can be framed under Chapter II of the Act.

The present rate at Rs. 2 per cent. paid by Gaddi shepherds is supposed to cover grazing on the march as well as in the runs : it is based on an arrangement made by Mr. Barnes as part of the Land Revenue Settlement of 1849—1852. The Settlement Collector should consider whether any arrangement like that suggested by Mr. Anderson in paragraph 85 can or should be made in the present Land Revenue Settlement, and whether the rate should be at once raised to Rs. 3-2-0 per cent. I see no objection to this increase of rate. The lands concerned are all village lands, and the Land Revenue Settlement seems the proper time for altering the rate.

31. As to the subject of paragraphs 88 to 91, the Chamba authorities used, I believe, to assert (see paragraph 43 of my Kangra Settlement Report) that the dues collected for the Raja of Chamba in Kangra were not levied for grazing in the Kangra District, but for grazing in Chamba Dhars in the summer, or in Chamba waste lands *en route* for Dhars beyond Chamba. I do not think this is now true, and I believe that the Raja has greatly raised, of late, his charges on shepherds grazing in Chamba. I agree in thinking that the time has come when he must, after discussion, be made to give up levying dues in Kangra or for grazing in Kangra.

32. I agree in all that is said in paragraphs 93 to 105 as to the rights of tea planters, the way their requirements should be met, and the arrangements which it is desirable to make with regard to those requirements.

33. As to the waste and forest lands under the management of the Dharmsala Municipal Committee, I agree that the management of all outside Municipal limits should be taken away from the Committee at once and transferred to the Forest Officer. The Committee's practice of issuing licenses for the cutting of grass and treating the license money as Municipal income was a subject of vehement complaint by the Khewatdars of some of the villages concerned when I visited Dharmsala. The Khewatdars of the Dharmsala mauza in particular complained that little or no grass was left to meet their requirements. Orders were issued on these petitions pointing out the apparent illegality of the practice and its injustice to the village proprietors. I believe the practice has consequently been abandoned or greatly modified.

34. In paragraphs 111 and 112 Mr. Anderson notices the rules drafted by him for issue under Section 31 of the Act. These rules refer to his record-of-rights, and must be read with them.

Rule No. 1 is unobjectionable if the statement of rights is complete and the qualifying conditions are securely founded upon custom; but, as I have mentioned above in this note, the record-of-rights seems to not fully state the rights of the owners of the soil, and some of the qualifying conditions seem to be based merely on the Forest Rules of 1859, or on executive orders passed in recent times or now proposed for approval. Take for instance the rules in clause 19 of the record-of-rights limiting the claims of right-holders to trees and prescribing prices to be paid.

Rule No. 2 seems opposed to clauses 7 and 30 of the record-of-rights, and for the reasons given in paragraph 10 of this note I consider that both the rule and the clause are in respect to minor forest produce unfair to the rights of the owners of the soil as distinct from other right-holders.

Rule 3 (*b*) for the same reason requires in my opinion the omission of the words "or grass" in respect to right-holders who are owners of the soil, and the Deputy Commissioner should be bound not to license outsiders to cut or collect wood for fuel to an extent which would deprive right-holders of their supply.

Rule 4 is right, except that it implies that the Deputy Commissioner may give permission to graze without reference to the record-of-rights which, as I have said at the end of paragraph 10 of this note, I hold to be wrong.

Rule 5 leaves to the discretion of the Deputy Commissioner a most important privilege which was secured to the villagers by the Rules of 1859-60 and by the first regular settlement record-of-rights—*see* paragraph 13 of this note. I think that the Lambardars ought to be invested with authority by rule, and that they should have power to arrest offenders and send them in custody of the rakha or village watchman to some officer having authority to try and punish. This would no doubt require legislation, but it is useless to expect the Lambardars to do much to check offences if you give them no authority.

Rule 9 is a good rule in the interest of the preservation of game, which is very desirable, but Government did not reserve any right to game at the first regular settlement, nor has such a right been since asserted in the Rules of 1855 or 1859-60 or otherwise. Mr. Anderson does not assert such a right for Government in his record-of-rights, except negatively by not mentioning such a right among the rights of right-holders. In practice the owners of the soil have exercised a right to take game, but, as in most parts of India, the right has not been an exclusive one. I think a record-of-rights properly prepared ought to state the custom, and if this was done Rule 9 would not hold good against it. Rights to set nets were only recorded at the Land Revenue Settlement in special cases where an individual had a special right by permission from old authorities dating from before the first regular settlement. I think that, strictly speaking, legislation is necessary to support such a rule, and that it should be confined to the demarcated forests.

Rule 10 might be held to mean that all limestone in these forest and waste lands belongs to Government and not to the owners of the soil. I do not think that that can be asserted.

35. As to the general record-of-rights for each tahsil in Appendix III to the report, I think that in the former the rights which belong to the proprietors of these forest and waste lands as owners of the soil should have been defined separately. These include the right for themselves and their agricultural tenants (1) to cultivate, (2) to graze their own cattle, sheep and goats, (3) to take for their own use or for sale all produce other than trees and brushwood. All these rights as well as the separate class of rights of use are, however, qualified as against Government by the right of Government to restrict their exercise to the extent necessary for the protection and reproduction of the trees and brushwood which are its property. After these proprietary rights come the rights of use or "bartan" rights. These are servitudes either (A) on

the property of Government in the trees and brushwood, or (B) on the property in the soil of the landholders, and should be classed separately accordingly. Taking the list of these rights in clause 3 of Mr. Anderson's record-of-rights, those under head (2) and head (3) (*a*), (*b*), (*c*), (*d*), (*e*), (*f*), (*g*), (*h*), (*i*), may be held to belong to class A, whether owned by proprietors of the soil or non-proprietors, and those under head (1) and head (3) (*j*), (*k*), (*l*), (*m*), to class B when owned by non-proprietors of the soil. It is presumed by clause 4 of Mr. Anderson's record-of-rights that all Khewatdar proprietors of waste and forest land have full "bartan" rights of class A in respect to trees and brushwood on land of which they are proprietors, whether they in practice commonly exercise them or not. This seems right by the Land Revenue Settlement definitions of rights, but in respect to the forests now demarcated by Mr. Anderson, it is very desirable that these "bartan" rights of class A on the trees and brushwood should be limited to as few people as possible, and it would be fair to restrict these rights, as distinct from proprietary rights attached to the ownership of the soil, to those who have hitherto commonly exercised them, or, in other words, to those people who are shown as right-holders in Mr. Anderson's "record of right-holders in demarcated forests"—*see* my remarks as to this record in paragraph 11 of this note. This, however, would I think require legislation. I may add that the difference between having the right and exercising it is practically confined to those parts of the newly-demarcated forests which in the Tika-bandi made at the Land Revenue Settlement of 1865-1869 were treated as "Chak Ban" or forest blocks, the soil of which remained the joint property of the Khewatdars of the whole mauza. In these the number of owners of the soil is very great, as all the Khewatdars of the mauza are share-holders, but as these "Chak Bans" are generally a long way from the houses and fields of most of the hamlets, the number of Khewatdars who commonly exercise any or all of the "bartan" rights of class A is comparatively small.

36. In clause 10 of the general record-of-rights Mr. Anderson has recorded that the management of the grazing of sheep and goats and the right to realize dues from shepherds are entirely in the hands of Government. This is true in respect to the migratory professional shepherds who spend the winter in Kangra Proper and are all of the Gaddi tribe, but there is no foundation for the assertion as regards the sheep and goats kept by village proprietors and grazed in their own village lands, which are, however, few in number. Government has never asserted any right of management or of taking grazing dues in respect to such sheep and goats.

37. The conditions or rules as to the regulation of "bartan" rights affecting the Government property in the trees and brushwood contained in clauses 11 to 25 of Mr. Anderson's record-of-rights appear generally necessary and fair, though in some respects stricter than past practice, and requiring to be worked with considerable leniency and discretionary relaxation if the people are not to be much harassed and often unfairly stinted of the supplies of timber and fuel which they really require and are entitled to by custom.

The conditions as to closing forests in clause 26 are based upon the Rules of 1859-60 and are fair, but the proviso to these conditions and to clause (*b*) of section 29 of the Act will in my opinion make it generally impossible to close one-third of the area or anything like it.

The conditions as to extension of cultivation in clause 27 are right and necessary. The absolute prohibition of cultivation in the demarcated forests was one of the main principles upon which the demarcation was made.

38. But though I agree that these rules and conditions ought to be enforced, many, if not most, of them, as I have said before, are out of place in a record-of-rights prepared for the purpose of Chapter IV of the Forest Act. They cannot for the most part be said to be old customs qualifying rights, nor are they qualifications of rights mentioned in the determinations of rights made at the Land Revenue Settlements. They are mostly mere rules or orders passed by the Government or its officers in the interest of forest conservancy or now proposed to be passed, and I think that to be of any valid force they require

to be issued as rules under some Forest law. It is evident that Mr. Anderson has recorded these *pseudo* rights as he has done with reference to the opinion of the Government Advocate, Mr. Henderson, dated 24th July 1885, on the draft rules submitted by him for the Shahpur-Kandi waste and forest lands, and the orders passed thereon in Secretary to Government's No. 401 of 12th September 1885. In endeavouring to avoid the legal objections to his draft rules for Shahpur-Kandi raised by Mr. Henderson, he has made his record-of-rights for Kangra Proper open to objection, and besides this he has, as I have shown above, taken in some respects too limited a view of the rights of the owners of the soil and too liberal a view of the rights of Government. Mr. Anderson's record-of-rights might be revised and curtailed, and an enlarged set of rules under Section 31 might be drafted. I am inclined to hold that the Government Advocate's opinion of the power which the Government has under Section 31 is too narrow, but even so, after careful consideration, I do not think the result would be to establish on a good legal basis a system of forest conservancy which would be simple and effective, and really suitable to the very peculiar conditions of these forest and waste lands of the Kangra villages. The fact that these lands are village lands in a country which has long been thickly populated, and in which therefore the people have brought into use all the products of the soil, has perhaps been sometimes overlooked. I began this very lengthy note with the intention of carrying out the proposals to deal with these lands under Chapter IV of the Act, but in the course of writing it I have been forced very reluctantly to the conclusion that that is not practically advisable, and that the proper course will be to deal with them by legislation in the shape of a separate local Act like the Regulation for Hazara Forests now under the consideration of the Government of India. It has been clearly established in the former correspondence in this case and that of Shahpur-Kandi that Chapter II of the Act is not practically applicable. As to Section 79, I hold, as explained in my note as Financial Commissioner on the Shahpur-Kandi case, that Government and the Kangra proprietors and right-holders are not jointly interested in these forests within the meaning of that section. The necessary action cannot be taken under the Rules of 1855 for the reasons given above in paragraph 28 of this note. The fact that no part of the Indian Forest Act is applicable to the Jagir estates of the Hill Chiefs, as shown above in this note, is another cogent reason for special legislation for the whole district.

39. When the Hazara Forest Regulation is passed by the Government of India an officer should, I think, be put on special duty to draft a Bill applicable to Kangra Proper and Shahpur-Kandi, and also with some modifications to the forest and waste lands proposed to be made protected forest in Tahsil Kulu. The forests proposed to be reserved in Kulu may be reserved under Chapter II of the Act at once, as has been done in Kangra Proper as regards the blocks of forest in which the zamindars have surrendered the ownership of the soil to Government. The legal position in Kulu is different and much simpler owing to difference in the determination of rights at the Land Revenue Settlements of 1865—1869, but the original position of rights was the same, and the difference up to date is mainly in theory of rights and little or none at all in practice. Therefore we are bound in equity to treat the village land-holders of Kulu in substantially the same way as those of Kangra Proper and Shahpur-Kandi. In drafting the Bill the officer will have Mr. Anderson's Reports for Kangra Proper, Shahpur-Kandi and Kulu and this note to guide him. In regard to Kulu he should also refer to the orders passed on the Kulu Assessment Reports. Certain powers should be given to Lambardars by the Bill. The qualifications of the rights of Government and of the owners of the soil as determined and recorded in the Land Revenue Settlement of 1865—1869 for Kangra Proper should be ratified in the Bill and extended to Shahpur-Kandi. Power should be taken to enforce these qualifications by summary process, and to decide in the same way disputes as to the existence or non-existence of rights of use. The fact that the owners of the soil have no right to admit outsiders to graze should be clearly stated, and in Nurpur their right to let in Gujar herdsmen

should be limited. The Bill would of course be so framed as to ratify the demarcations effected by Mr. Anderson, which were made on the principle announced to the village land-holders that the demarcation would not affect their proprietary rights or the "bartan" rights which they have hitherto enjoyed, though new cultivation would be prohibited. If that officer on return from leave can be himself made available for this special duty, it would be of the greatest advantage, as he is peculiarly fitted for it not only by the local experience he has acquired, but by his ability in dealing with such questions. Though I have been unable to accept the scheme as submitted by him, I do not hold him responsible. It was a very difficult task, and he had to do it according to his instructions, which I now think were incomplete and in some respects misleading.

19-2-92. J. B. L.

Abstract translation of certain clauses in the Record-of-rights of villages in Kangra Proper prepared in the Land Revenue Settlement of 1865—1869 bearing on the rights of Government and the Zamindars in waste and forest lands.

Section 4.—Proprietorship of unoccupied forest and waste lands has been given to Khewatdars, but Government reserved to itself (1) ownership of trees with reservation of "bartan" rights to trees of zamindars and right-holders; (2) arrangements connected with grazing of flocks of sheep and goats (Gaddis) and the *tirni* paid by them. For the protection of its rights in trees forest laws and rules are in force, which will remain in force till changed.

Section 5.—Arrangements for grazing of Gaddi shepherds' flocks are subject to forest law; they are tenants of Government, not of the zamindars.

Section 18.—Grazing rights of men of one village or tika in particular areas in another village or tika have been recorded as far as possible: these give no right to soil or to prevent reclamation for cultivation; non-agriculturists' rights of grazing in their own village are of the same kind. In both cases these rights are limited to cattle of a man's own household kept for his own domestic purposes, not for trade purposes, such as sale of milk or ghi.

Section 19.—The grazing rights of Soanas of Gujar herdsmen. Some Gujar herdsmen have special rights in particular plots or blocks of forest land. It is to these plots only that the name "Soana" properly applies, and the Gujars' rights in them have been recorded. They are limited to exclusive grazing for three months—July to September. Trees in them belong to Government and soil to Khewatdars as in other waste and forest lands, and grazing rights are also the same as elsewhere after the three months. Where Gujar herdsmen graze but have no Soanas properly so called, no special rights exist and no special entry has been made. If the Gujar is a Khewatdar he has the right to graze his buffaloes, but must pay fees to the Khewatdars if he has paid them hitherto. If he is not a Khewatdar he can establish a right by suit in court if he has one. If he has grazed continuously from ancient times and paid fees, he should be held to have a right. The zamindars cannot create new Soanas, as they are injurious to forest conservancy. The Gujar's rights are not transferable except by inheritance.

Section 26.—Unculturable unoccupied forest or waste lands will be partitioned only for the purpose of cultivation and on application by one or more Khewatdars to the Revenue authorities. If it is forest land, *i.e.*, has trees on it, permission of Government is necessary.

Section 27.—Unculturable unoccupied forest or waste lands will be partitioned only if all Khewatdars consent and other right-holders do not object, or the Revenue authorities think their objections unreasonable.

Section 30.—The Khewatdars' rights of property in the unoccupied waste and forest lands are attached to their rights in cultivated land. Any transfer of the latter carries with it the transfer of a proportionate share in the former.

Section 33.—All trees, including trees which were formerly a royalty of Government, which grow on cultivated land or on the small plots of waste land in private occupation attached to such land (recorded as Banjar Makbuza), belong to the owners of the fields.

Section 40.—Unoccupied forest and waste land cannot be appropriated for the purpose of cultivation or making a hay-field (Kharetar) by the Khewatdar proprietors in person, or by any agent of theirs or transferee of their rights except with previous sanction of the Revenue authorities to be obtained by application for mutation of names. Government has full discretion to refuse permission in the interest of its right to trees and other Government rights if any.

Section 41.—Government can in the interest of its own rights eject any person who appropriates unoccupied waste or forest land in contravention of the procedure prescribed in the preceding sections. The Khewatdars can also eject any such person in their own interests.

Section 44.—Though all trees growing wild or planted by orders of Government in unoccupied waste and forest land are the property of Government and can be sold by Government, yet if in any village they are only sufficient to provide for the rights of use ("bartan") of those having right of use of trees, Government will not sell any to traders. Trees, if any, planted in such land by private persons are the property of the planters, unless they are shade trees or fruit trees planted by way of an act of charity for the public use or convenience by any road, well or resting place, in which case they are wakf or public property. No one can fell such wakf trees: if they die, Government will not claim the timber which will be taken by the owners of the soil. Any one can use their fruit, whether he be a traveller or a resident of neighbourhood.

NOTE.—This clause was framed to meet the objections raised in the Settlement of 1865—1869 by the Khetwatdars of many mauzas to the general declaration that trees and brushwood in these lands were the property of Government and to obtain their consent to it. It is also in conformity with the old general custom of the district.

J. B. L.

Note by Sir Dennis Fitzpatrick, Lieutenant-Governor of the Punjab, dated 11th January 1894, on the Kangra Forest Settlement, omitting the large Jagirs.

1. I consider myself fortunate in having for my guidance in dealing with this most difficult matter a very full note written by my predecessor just before making over charge to me and dated 19th February 1892. I postponed dealing with the case until I should have visited Kangra, and I have now in my recent tour traversed a considerable portion of it, entering the district from Mandi, marching by Palampur to Dharmsala, and going thence *via* Kangra, Jawalamukhi and Nadaun to the Hoshiarpur border. There was a good deal of murmuring against forest conservancy in general, but fewer specific complaints than I found in Kulu.

I think the most convenient plan in dealing with the various points that have been raised is to take Sir James Lyall's note as nearly as possible in the order of the paragraphs.

Paragraph 2.

2. The legal position of the 139 trihais aggregating 3,758 acres in Tahsils Kangra and Hamirpur, referred to in this paragraph of Sir James Lyall's note, is somewhat perplexing. If, as Sir James Lyall says, and as is probably the case (I have not gone fully into the question), the rights of the zamindars over these trihais still exist and are merely suspended during closure, these rights would have to be recorded before the trihais were made protected forests, and if these rights are recorded we can only keep a portion of each of these little patches closed [Act, Section 29 (*b*)], which would be a difficult matter

to arrange in practice, and would moreover defeat the purpose which Mr. Anderson says these patches in many places at present serve. I am disposed to think we had better take one or other of two courses in regard to these tribais, namely, either—

(1) leave them as they are for the present, excluding them from the protected forest proposals; or

(2) include each of them in some one of the other protected forests.

If we adopt the former course in respect of them, the penal provisions of Chapter IV of the Forest Act will of course not be available to protect them against trespassers. The latter course, when it is practicable, would set matters right, and as to its being practicable, I need only observe that there is, so far as I can see, nothing in the Forest Act to require that a protected forest should be comprised within a single ring fence. It may, I should say, consist of several distinct plots.

Paragraph 3.

The ban-mafis in these eight villages should have been excluded in the case of Kangra Tahsil, and the forests declared reserves in Tahsils Nurpur and Dehra should also have been excluded.

A. A.

3. I presume it is only by an oversight that the draft Notification under Section 75 of the Act does not exclude the trees growing on the ban-mafis in the eight villages of the Kangra Tahsil, and, if so, the draft should be amended. As regards the other point referred to by Sir James Lyall in this paragraph, I agree with the Financial Commissioner (paragraph 4 of his No. 121, dated 17th February 1890) that Mr. Anderson's proposal by which action should be taken in these eight villages only under Section 75 of the Forest Act should be allowed to stand.

Apart from the legal difficulty referred to by Mr. Anderson, there is the difficulty referred to by Mr. Mackworth Young that if we were to establish protected forests in these villages our action would be open to misconstruction.

Paragraph 4.

4. I agree with Sir James Lyall in accepting Mr. Anderson's proposal to proceed only under Section 75 of the Act in the 21 Nurpur and the 38 Dehra villages referred to in this paragraph.

I further agree with Sir James Lyall that all action under Section 75 of the Act should be restricted to matters directly affecting trees the property of the Government.

Lastly, I do not at all understand the rules drafted by Mr. Anderson. They seem to refer to some sort of record-of-rights to be found somewhere. I can find no such record anywhere for the villages in the Nurpur and Dehra Tahsils. There is something of the sort for the eight villages of the Kangra Tahsil to be found in Part II of the "Kangra record-of-rights" prepared by Mr. Anderson, but it would not be a thing to refer to under Section 28 of the Forest Act, as we are not going to make any forests in these villages protected forests, and it would not be presumed to be true as the records referred to in that section would be.

5. The proper plan is to make the rules under Section 75 of the Act self-contained—to start by reciting the recognition by Government of whatever rights of the zamindars or others over the trees belonging to Government may be found to exist, and then go on to provide for the regulation of the exercise of those rights and for the prohibition of everything except what may be done in exercise of those rights or with the permission of the Government. I think it would be permissible by these rules to prohibit the burning of lime or charcoal so near the Government trees as to cause any danger to them, but the point is not perhaps of much importance except in those cases, if any such there are, in which a person has a right to fuel for these purposes; for when it is in our discretion to give or withhold the fuel we can attach such conditions as we think fit to the grant of it. I think it would be going too far to interfere with grazing by rules made under Section 75 of the Act. We must trust for restrictions on it to the settlement record, which I presume contains clauses similar

to those contained in the extract of the last settlement record appended to Sir James Lyall's notes, though there may be no penal provisions available for enforcing their observance.

6. There is one other point connected with the draft Notification under Section 75 of the Act to which it is convenient to refer here. I see it applies not only to the trees on unassessed forest and waste land in the villages shown in the table, but also to "the trees on certain assessed forest and waste land" which "were declared to be the property of Government." I presume the last-mentioned trees are the valuable trees standing on Gurhoo Kharetars, and which are said at the end of paragraph 21 of the report to have been in some cases reserved to Government *by an entry in the Administration Paper*. It should be ascertained whether this is so, and, if it is, these trees should be described as reserved to Government or declared to be the property of Government *in this way*. To speak of them merely as "declared to be the property of Government" is vague.

Yes, the Notification refers to trees on Gurhoo Kharetars.

A. A.

7. It will be seen from what I said in my note on the Kulu Forest Settlement that I agree generally with what Sir James Lyall here says as to the necessity of keeping the work of recording rights as they are found to exist separate from that of regulating the exercise of rights under the powers conferred by Sections 29 and 31 of the Act, and it will be necessary for Mr. Anderson to do in Kangra also what he has undertaken (*see* paragraph 14 of my further note on the Kulu Forests) to do in Kulu.

Paragraph 5.

The reasons I had for including in the record all restrictions (regulations) of rights were taken from the orders on the Shahpur Kandi Forests. I probably misunderstood the meaning of Government in these orders. I can merely plead that they were not on this point so clear as the directions now given. See paragraph 17 of my report.

A. A.

But on two points I differ from Sir James Lyall's views as I understand them. In the first place, Sir James Lyall seems to say in the most general terms that rules issued by Government under a statutory authority in the past should not find any place in the record-of-rights, which he speaks of as if it was to be a record simply of customary rights as they originally existed. Now, it seems to me that whether a rule of the sort should find a place in the record-of-rights depends on the nature of the rule. If, *e.g.*, it restricted or enlarged the right in substance, it should certainly appear in the record-of-rights, which is clearly intended to be a record-of-rights as they are established by law, whether customary or statutory law, and I think it would be on the whole safest to incorporate in the record-of-rights a complete copy of all existing rules having the force of law by putting it in an appendix to the record and referring to it in any clauses of the record in which it might seem necessary to do so.

8. The other point on which I differ from Sir James Lyall is where he lays down that Mr. Anderson had no power "to alter determinations of rights made and recorded in previous Land Revenue Settlements." I could quite agree that this is a thing which an officer in Mr. Anderson's position should not do except on the clearest grounds; but the entries in previous Revenue Settlements are not, so far as I am aware, made absolutely conclusive by law, and, unless they are, an officer in Mr. Anderson's position would not be bound by them if he found that they were wrong.

9. I understood Mr. O'Brien in a conversation which I had with him before he met with his accident to say that he accepted generally the views put forward by Sir James Lyall in these paragraphs as to the respective rights of the Government and the people in the forest and waste lands, and I am myself disposed to accept those views. The difference that the acceptance of them would make in substance is not great; but in theory and form it is of some importance, and I accordingly made while in Kangra a re-draft of the opening portion of Mr. Anderson's draft "Kangra record-of-rights" down to paragraph 4 (4) to give effect to Sir James Lyall's views. That re-draft, which I append to this note, is a very rough one, and will have to be very

Paragraphs 6 to 12 and paragraph 35.

carefully considered by others, especially as I cannot pretend to be familiar with all the details of this intricate subject. There are two points in particular that will need looking to. The first is this. In paragraph 4 (4) of his draft, Mr. Anderson has given all proprietors of cultivated land to which a share in the land of the protected forest is appendant all the rights mentioned in his paragraph 3. I followed Mr. Anderson's draft in this particular in paragraph 7 of my re-draft; but, now that I have fully discussed the point with Mr. Anderson, I think this is altogether wrong. The position is so complicated that it was not unnatural that some misapprehension should have arisen regarding it. According to Sir James Lyall's view, which I have adopted, the trees are owned by the Government, and the land on which they stand is owned by the zamindars just as the surface of land is often owned by one person and the minerals underlying it by another, or as the upper floor of a building is in some rare cases owned by one person and the lower floor by another. The owners or some of the owners of the land on which the trees stand may have acquired by long user rights of the nature of what an English lawyer calls *profits a prendre* and a Kangra zamindar "bartan" over the trees just as the owner of any neighbouring land might, and probably in most cases they have acquired such rights; but in other cases they may not have done so. I understand that in cases where the trees stand on land owned by a numerous village community with its homesteads and cultivation at a great distance from the forest many of the community have never exercised such rights over the trees, and where this is so it is difficult to imagine how they could have acquired such rights. In such cases there would, so far as I can see, be no ground either for assuming or presuming that those who had never exercised such rights had them, and if that is so, Mr. Anderson did all that he was required or empowered to do when he entered in his detailed records-of-rights the rights which he found the owners of the land on which the trees stand to have exercised over the trees in exactly the same way as he entered the similar rights which he found the owners of other lands to have exercised over those same trees. This seems to be Mr. Anderson's own view of the matter, but he appears (paragraphs 26 and 27 of his report) to have thought that he was bound by something which Sir James Lyall had said about the Shahpur-Kandi Forests to make in paragraph 4 of the general portion of his record a further entry declaring in effect that all the owners of the land on which the trees stood had over the trees all the rights mentioned in paragraph 3 of the record, whether they ever had exercised such rights or not. Thus the owners of that land were entered in one part of the record as having less extensive rights and in another part as having more extensive rights. I am altogether unable to understand this, and I cannot find anything in the paragraph of Sir James Lyall's Shahpur-Kandi note to which Mr. Anderson refers which would require it to be done. In the 35th paragraph of his note in this case, Sir James Lyall says that what Mr. Anderson has done in this particular "seems right by the land revenue settlement definitions of rights," but that he thinks it would be fair as well as expedient to legislate to set it aside. If, however, Sir James Lyall refers to the extracts of the Revenue Settlement record appended to his note, I can find nothing in them to require or even to suggest that we should recognize any rights except those that have been exercised, and the proper course would therefore seem to be to strike out altogether paragraph 7 of my re-draft, leaving the matter to be governed by paragraphs 9 and 10. If this was done, the words "subject as aforesaid" in paragraph 8 would of course have to be replaced by the full wording to which they refer.

10. The other point for special consideration is the way in which I have altered Mr. Anderson's paragraph 4 (4) relating to the rights of right-holders over the undemarcated protected forests in paragraph 10 of my re-draft. This is in accordance with what was proposed by the Kulu Forest Conference and accepted by me for the Kulu Forests. I fear, however, that an objection which Mr. Anderson has now taken to it may be fatal to it both here and in Kulu. Mr. Anderson writes regarding it as follows:—

I think it would be dangerous because all the villages in the valley would demand trees from the undemarcated waste of the higher villages which have forest. At present they have to buy them or make their own arrangements. Both in Kulu and in Kangra I tried to limit the right to those who have been *accustomed to exercise it*. Now, according to my understanding of the proposed record, any proprietor of cultivated land (that is, any

one paying revenue) may claim trees as against Government from all undemarcated waste. This will, in my opinion, increase the demand on such waste. No doubt the people who are more directly interested in it may object, but they will more probably agree—perhaps for a consideration.

In other words, the proposal which we adopted in Kulu proceeds on the assumption that we can rely on those who have rights over a bit of undemarcated forest to resist any attempts by outsiders to claim timber or other forest produce from that bit of forest; but now that Mr. Anderson has drawn my attention to the point I very much doubt whether we can. The only practicable alternative to what is proposed that I can see is to content ourselves with protecting the trees under clause (*c*) of Section 75 of the Forest Act. That alternative would be open to us in Kangra, but owing to the peculiar way clause (*c*) is drafted it would not be open to us in Kulu, where the trees grow on land which is the property of the Government.

Mr. Anderson has asked to be allowed to consider the matter further, and I will accordingly postpone my decision on it till I see if he can think of any other expedient.

Paragraph 13.

11. I cannot agree with what Sir James Lyall says here as to restrictions of the power formerly given to the lambardars to grant permission to take wood involving a "serious diminution of the rights of the villagers." No rule requiring application to be made to an official for permission to exercise a right which a man possesses over the forest can if properly understood (as to which see paragraph 40 of my further note on the Kulu Forest Settlement) affect the substance of the right. It is a mere matter of regulation or administrative check to be provided for, not in the record-of-rights, but in the rules under the Act. At the same time I entirely agree with what I understand to be Sir James Lyall's view, that where we can safely entrust the power of granting a permit to a lambardar we should do so instead of requiring the people to apply to an official at a distance, and accordingly wide provisions for delegating powers to lambardars should be inserted in the rules, to be exercised or not as the Deputy Commissioner thinks fit.

Paragraph 14.

12. I entirely accept the view taken by Sir James Lyall in this paragraph and shared by all other authorities that it is expedient to levy some small sum on each tree taken by the zamindars, not so much in order to add to the revenue as with a view to check reckless expenditure of wood; but I don't see how any such sum can be levied either under the Forest Act or under the special law of 1855 upon trees to which the people have a right. I agree with Sir James Lyall that it would be inconsistent with the proviso in the law of 1855, to which he refers, to levy it. If it is to be levied at all it must be in making the land revenue assessment in the manner proposed by Mr. Anderson and approved by the Financial Commissioner (*see* paragraph 11 of his letter).

I confess I do not understand Sir James Lyall's objection to this course. He admits that land revenue may be assessed in respect to "minor forest produce which the khewatdars may sell for a profit," but he says that to speak of assessing land revenue upon the right to get wood for fuel and timber is unmeaning, as the khewatdars being prohibited from selling wood "make no profit from these rights which could come into the land revenue settlement account."

But surely when we say that the Government is entitled to take as revenue half of the clear net profits of an estate, we do not mean merely such profits as are realized in cash.* I have always understood that the theory of the process of estimating the clear net profits is to put down on one side of the account all that can be got from the estate and on the other side the whole cost of working the estate, including among other things the cost of maintaining the cultivators, of which the timber used for building and repairing their houses and farm buildings would be an item. When, as in the case

* I may mention in this connection that some grass land, the grass grown on which is not sold, is assessed to land revenue, and that in the bachh made under Sir J. Lyall's settlement revenue was put upon the "Gurhoo Kharetars," the grass of which I should imagine would hardly ever be sold.

D. F.

we are now dealing with, the ownership of the land has attached to it a right to get this timber free of cost from the Government trees, the value of this timber would, if the account were made out in strict accordance with theory, appear on both sides of the account, and thus it might be said that there would be no balance of profit under this head of account if it was taken alone; but the net balance of profit of the account as a whole would be obviously higher by the amount of the value of the timber than it would have been if the land-holder instead of getting it for nothing had to go into the market and buy it. To put the thing in another way, we commonly say that a fair full rent for land is a good measure of the assets, and if we proceeded to estimate the assets in this way it would be obvious that land which had attached to it a right to get timber for domestic and agricultural purposes free of charge ought to let for more than if it had not such a right attached to it.

I am of course well aware that the Kangra assessments have been made in a rough and ready manner and not in accordance with the elaborate theories just referred to, which indeed are not worked out in any settlement, but they were made on the assumption that there would be a separate charge for revenue or royalty levied on the trees which the zamindars would be allowed to cut, and accordingly, while some other of what we commonly call the miscellaneous sources of profit were taken into account, the benefit arising to the zamindars from getting timber free was left out of account. Under these circumstances it seems to me that it will be only fair and in accordance with principle to impose in the new land revenue settlement, which has not yet been finally sanctioned, some small additional land revenue in the shape of a royalty per tree cut.

13. I am, however, not inclined on this occasion to raise the rate of this revenue or royalty or to impose it on any trees on which it has not been hitherto imposed. We cannot do everything at once. We have just enhanced the land revenue, and though I believe our enhancement is a moderate one the people of course feel it and grumble a good deal about it. Then we have introduced this forest settlement which of course is not popular, and I don't think that for the small sum we should get by taking more than we now do in the shape of a royalty on trees it is worth while adding a third grievance, real or even imaginary, at this moment. I would accordingly provide in the land revenue settlement simply for the continuance of the present revenue or royalty on trees cut by zamindars.

14. I agree to what Sir James Lyall proposes as to the allowance to be made to lambardars, rakhas, patwaris and khewatdars from the timber revenue, except that I would not alter the mode of distribution of the 4-anna or quarter share allowed to these officials on sales at full prices to traders and other outsiders, as I think the dissatisfaction it would cause to those who lost by the change would not be counterbalanced by the satisfaction it would give to those who gained.

Paragraph 18.

15. I see Mr. Mackworth Young in paragraph 4 of his letter No. 1594, dated 28th May 1888, written as Commissioner of Jullundur, fears that there might be some legal difficulty about stopping these allowances when the village officers neglect the duties for which they are paid. If the difficulty is supposed to arise from the rules made by the Commissioner under the special law of 1855, it is one, which, if it exists at all, could, I should say, easily be removed without legislation.

16. I am prepared to sanction the substitution of money payments for the present grain payments made to rakhas, and it will perhaps be best to defer enhancing the share of the timber income allowed to the zamindars until we settle what should be done about this, so that the concession of the larger share of the timber income could be used to smooth over difficulties about the other matter.

17. I agree with Sir James Lyall that the concessions proposed for the Jagirdars of Reh and the Mians of Rajer may be sanctioned. The case of Raja Mankotia is connected with Kutlehr, which I have reserved with the other large jagirs for separate consideration.

Paragraph 19.

18. Having regard to what is said about the movements of Gaddis in paragraphs 40 and 45 of Sir James Lyall's Settlement Report, I was disposed to share Sir James Lyall's doubts as to the proposed rule requiring that the Gaddis shall not remain more than one or at most two nights in one place, but Mr. Anderson explains to me that this rule is not intended to prevent them remaining more than one or two nights on a dhar where they have grazing rights, that it is only intended to apply to them when moving between the dhars and bans over which they have grazing rights. With this explanation I think the rule may be accepted.

Paragraph 30.

19. So far as can be ascertained nothing has been done in the course of the present revenue settlement to give effect to the proposals made in paragraphs 85—87 of Mr. Anderson's report, and the matter should be further considered, especially as Mr. Anderson himself seems now to feel some doubts about it. I understood from Mr. O'Brien that there had been in past times very great laxity about collecting grazing dues, and that some changes he had recently introduced had led to *very much* larger realizations. If that is so, it may be a question whether we should not wait a little before increasing the rate.

20. The position as regards the dues levied by the Raja of Chamba to which Sir James Lyall here refers is a somewhat complicated one. It appears from paragraphs 42 to 44 of Sir James Lyall's Kangra Settlement Report that for a long period the Raja of Chamba has established for himself *de facto* in certain parts of the district to which Gaddis, who either are his subjects having their homes in his territory or are dependent on Chamba for their summer grazing, resort a position somewhat analogous to that of a Waris or hereditary Mukaddam, and has exercised his functions as such through farmers or contractors. We do not recognize him as having any rights whatever, but as a matter of fact he or his contractor collects dues in those parts of the district from Gaddis grazing their flocks there. He could not of course recover these dues by any legal process in our territory, but the Gaddis in question being dependent on him pay them, and they are represented to be payments not on account of grazing in our territory, but on account of the summer grazing in Chamba, which the Raja finds it convenient to collect in our territory somewhat as the Amir collects some of his trade duties in British India from subjects of his who may be temporarily there. The matter is one which we might allow to pass if it were not for the circumstance that the fact of the Raja taking these dues makes it in practice difficult for us to raise our dues on these Gaddis to the figure to which we are fairly entitled to raise them, and that the Raja is thus really collecting revenue which belongs to us; but this circumstance makes it desirable to stop him collecting these dues. The difficulty is that if we succeed in stopping the collection of these dues in our district the amount of them may be simply added on to the charges made to the Gaddis in question on account of their summer grazing in Chamba, and that these Gaddis being dependent on the Chamba authorities during part of the year would have to pay the enhanced charge. In order therefore to settle the point satisfactorily it might be well to come to some understanding with the Raja as to what amount we should levy on the flocks of these Gaddis in Kangra and he in Chamba, and the Deputy Commissioner might be directed to consider, in communication with the Commissioner of Lahore, the possibility of doing this.

Paragraph 31.

21. I agree with Sir James Lyall that the management of all forests beyond municipal limits should be transferred from the Dharmsala Municipal Committee to the District authorities. Mr. O'Brien told me that this would give the final blow to the Committee, which has 24 miles of road to maintain and is already nearly bankrupt. I observed at Dharmsala that some

Paragraph 33.

of the roads were in a wretched state, and I suspect that a considerable portion of the 24 miles ought never to have been constructed and ought now to be abandoned. The condition of the Municipal finances should be looked into; but, whatever it may be, the present system of assigning forests to the Committee in order to help them seems a bad one.

22. Any rules made under Section 31 of the Forest Act for the protected forests must of necessity proceed on the assumption involved in Rule 1 and objected to by Sir James Lyall, that is to say, they must prohibit the doing of a variety of things, and assume that a complete record-of-rights has been prepared as contemplated by Section 28 of the Act, and that that record-of-rights will, taken with the last words of Section 33 of the Act, exempt all people who ought to be exempted from the prohibition. As to the possibility of the record being incomplete or erroneous, we must try to make it as complete and accurate as we can, and, if, in spite of all we do, there are omissions or errors in it, those who suffer by them must only apply to the executive authorities to recognize their claims or to the Courts to enforce them.

Paragraph 34.

Rule 1, however, puts the matter in a shape which is awkward in more ways than one. I think the best plan would be to omit it altogether, make rules prohibiting everything you want to prohibit and draw each rule containing a prohibition, from which right-holders are exempted, somewhat in the shape in which Rule 3 is drawn, thus "no one shall do such or such a thing unless he is authorized by the record-of-rights to do it."* Then would follow merely regulating rules saying that any one authorized to do that thing should do it in such or such a way.

23. Sir James Lyall's remarks on Rule 2 point to the necessity of inserting after the word "acquired" the words "by a right-holder," but I doubt whether we can make such a rule at all, and I think it has been held by the Government of India that we cannot. The right-holder can only claim wood, *e. g.*, for certain purposes, and it may be that if he applied for it for those purposes intending to sell it he would fall under the provisions of the general criminal law. Moreover, if we had given him wood for those purposes and he sold it and then soon after applied for more wood for those purposes, we might refuse it on the ground that he had already received it; but I doubt whether under the Act as it stands we can make the mere fact of his selling the wood a punishable offence.

The rule, however, may stand amended as above suggested, and the point can be mentioned in submitting the rules to the Government of India.

24. Sir James Lyall's objections to Rules 3 and 4 would be removed if the rule ran as follows:—

"No person, unless he is entitled to do so under the forest record-of-rights, shall cut wood or grass, whether dry or green, or pasture cattle, sheep or goats: Provided that the Deputy Commissioner may in his discretion grant to any person, on the payment of such fees as the Deputy Commissioner may fix, permission to cut the wood of any trees which are the property of the Government if such wood is not required to meet the claims of right-holders."

25. Sir James Lyall's objection to Rule 5 is dealt with in my remarks on the 13th paragraph of his note (*supra* paragraph 11).

26. I doubt very much whether lambardars should be given a power to arrest offenders. Persons committing offences of the sort here in question would generally be land-holders or Gaddis whom we could put our hands on at once or after a short interval, and whom there is therefore no great need to arrest at once. See in connection with this matter the last clause of Section 63 of the Forest Act.

27. Sir James Lyall takes exception to Rule 9 relating to nets, traps and snares, and I would omit it altogether, leaving the matter to be dealt with hereafter by legislation as it will have to be for other places besides these hills.

* See in connection with this paragraph 11 of my second note on the Kulu Forests.

Assuming that as held, and as I have already said I think rightly held by Sir James Lyall, that Government only owns the trees, and that the indefinite mass of proprietary rights in the soil belongs to the zamindars, the zamindars seem entitled to set traps and nets, however objectionable it may be from certain points of view, and I don't know how we can stop them except either by special legislation or by reserving the forests and paying compensation.

28. As regards Rule 10, to which also Sir James Lyall takes exception, it is quite clear that, making the assumption just referred to as to the rights of the zamindars, they are entitled to the limestone, and are also entitled to burn it or make charcoal in the forests provided they can get the firewood. But as there is a danger to the forests from such operations it is clearly open to us under the Act to make a rule requiring a permit to be taken out before they are carried on in the forests. I don't, however, see how a fee could be charged for the permit. Of course if a zamindar was not under the detailed record-of-rights entitled to get wood for burning lime or making charcoal and had to apply to us for it, we could charge him what price we pleased for it, but that is a different matter altogether.

Paragraphs 35—37.

29. I have already dealt (*supra* paragraphs 9 and 10) with the Kangra record-of-rights down to paragraph 4 (4). The clause as to non-agricultural residents which follows paragraph 4 (4) may stand, but as it does not recognize any right would more properly be placed in the rules.

30. The proviso that follows would come in as paragraph 11 after paragraph 10 (the last paragraph) of my re-draft of the opening portion of the record-of-rights. It might run thus :—

"11. Tenants-at-will entitled to trees for building or for agricultural purposes under paragraphs 7, 9 or 10 shall receive those trees through the proprietors under whom they hold."

31. Then in paragraph 5 the following amendments seem necessary—

(*a*) After "all rights" at the opening insert "of right-holders ;"

(*b*) After "excepting" insert "the grazing rights of Gaddis, and ;"

(*c*) For "paragraph 4 (2)" read "paragraph 8."

32. Paragraph 6 should be restricted to "Rights *of right-holders*" and should run like the corresponding provision in the Kulu record as now settled.

33. Paragraph 7 should apparently be confined to forest produce acquired by right-holders, and if this were done, I am not sure whether Sir James Lyall would say that there should be any relaxation of the rule as to grass or anything else. Mr. Anderson should consider this.

34. Paragraph 8 goes out—see *supra* paragraph 12.

35. The first sentence of the proviso to paragraph 9 and the sentence beginning "With this exception the village proprietors" have been already inserted in their proper place in paragraph 4 of my re-draft.

36. Sir James Lyall proposes in a note made by him in his copy of the record to add in the first sentence of paragraph 10 after "sheep and goats" the words "of Gaddi shepherds." This seems right.

37. Paragraphs 11 to 25 (both inclusive) of the record are, it seems to me, out of place in the record and should be transferred to the rules with certain alterations and omissions which I shall now indicate.

38. The phrases "priced trees" and "unpriced trees" used in paragraph 13 and subsequent paragraphs should be got rid of with reference to what I have said above in paragraph 12, some other phrases such as "first" and "second class" trees being substituted for them.

The second clause of paragraph 17 and clause (6) of paragraph 19 should for a similar reason be struck out. As regards the second clause of paragraph 23, it is open to us, if we under the land revenue settlement impose a royalty on trees cut, to provide in our rules that the royalty shall be paid before a permit to cut is granted.

39. Clause (1) of paragraph 19 should be omitted from the rules and record for the reasons given in paragraph 20 of my further Kulu Note, but as Mr. O'Brien tells me that it is in practice acted on at present, it may well be dealt with as there suggested.

40. Clauses (3) and (4) of paragraph 19 should be omitted, paragraph 9 of the record having been amended as indicated above (paragraph 32).

41. Clause (5) of paragraph 19, which Mr. O'Brien tells me is now acted on, may be amended somewhat in the way indicated by Sir James Lyall in the margin of the copy used by him.

42. Paragraph 26 of the record should be omitted, the matter being one to be dealt with under Section 20 of the Forest Act or under the Rules of 1855 if it is found that the power of closure given by those rules survives the application of the Forest Act—a point which I have not considered.

43. Paragraph 27 will not answer. The proper way as it seems to me to deal with the subject of cultivation in these forests is to define the present position in accordance with Sir James Lyall's record-of-rights (*see* Section 40 in the annexure to his note) as I have done in paragraph 5 of my re-draft of the first portion of Mr. Anderson's record, and then regulate the matter by rules under Section 31 (*g*) of the Forest Act. There would thus I think be no need for a Notification under Section 29 (*c*) of the Act.

As to how the matter should be dealt with in the rules, I don't know whether all the demarcated forests are of such a nature that we should, with reference to the necessity for protecting our trees in them, be justified either morally or legally under the provision of the revenue settlement record-of-rights above referred to in laying down an absolute rule that no land should be cultivated in a demarcated forest, but, if we are, paragraph 27 of the record-of-rights (I mean this forest record-of-rights) might be inserted in the rules as it stands. Here again there may be a concurrent power under the rules of 1855, but I doubt whether it would help us to do more than the above.

One of the principal objects of the demarcations was to select the areas which should never be broken up. The rule should, in my opinion, be absolute.

A. A.

44. Paragraph 28 must be struck out of this record unless some authority is shown for it, and there is no power that I can find to insert it in the rules.

45. I think the first clause of paragraph 30 should be omitted from this record, the matter being one to be dealt with by executive orders.

The first sentence of the next clause of this paragraph should stand in the record, as it secures an important right of the zamindars, but the following sentence deals with a matter into which it seems unnecessary for us to go.

46. Passing on to the draft headed "II—Rights in certain villages under a special agreement with Government."

As we will not include any portion of these villages in our protected forests, but will deal with the Government trees in them only under Section 75 of the Forest Act, we have nothing to do in the present connection with this record.

47. Neither have we in this connection anything to do, so far as I can see, with the ban mafis referred to in the draft that follows headed "III—Rights in certain private forests." Eight of the villages mentioned are those referred to in the preceding division of the record marked II, and two others, Chichiyan and Jiya, are the villages at the end of paragraph 2 of the first part of the record but I do not remember any previous reference to Gugra.

My recollection is that all the waste in Gugra has been included in ban mafi, but after so long I cannot be certain.

A. A.

48. The provisions under heads IV and V relating to the Mians of Rajer and the Jagirdars of Bir should not form part of the record-of-rights, as they relate to mere concessions made as an act of grace. They should merely be specially referred to in the executive orders regarding the forest settlement as approved of by the Government.

49. It must be borne in mind that I have confined myself to salient points and points to which my attention has been in some way specially directed. I must leave to others the detailed revision of the scheme.

50. Many observations made in my two notes on the Kulu forests apply likewise to the Kangra forests. I would refer in particular to what I have said in paragraphs 9, 38, 39 and 40 of the second of those notes.

51. Twenty-six petitions which reached me after Mr. O'Brien's death and when it was too late to be gone into on the spot have been sent to Mr. Anderson for report.

The 11*th January* 1894. D. FITZPATRICK.

[*Annexure to the Lieutenant-Governor's Note, dated* 11*th January* 1894].

ROUGH RE-DRAFT OF MR. ANDERSON'S "KANGRA RECORD-OF-RIGHTS" DOWN TO PARAGRAPH 4 (4).

Kangra Forest record-of-rights prepared for the purposes of Section 28 of the Indian Forest Act, 1878.

GENERAL PROVISIONS.

A.—Preliminary.

IN this record unless there is something repugnant on the subject or context—

(1) "Demarcated protected forests" means the areas which it is proposed to declare protected forests by the draft notifications mentioned in the margin.

(2) "Undemarcated protected forests" means all unassessed waste and forest land except—

(*a*) Reserved forests.

(*b*) The demarcated protected forests.

(*c*) The unassessed waste and forest land of the eight villages mentioned in the margin.

(*d*) The waste land recorded in the villages of Chichiyan and Jiya as the ban mafi of the proprietary body.

Explanation.—Gurhoo kharetar and other land on which a portion of the revenue has been distributed in the bach is not unassessed within the meaning of this definition.

(3) "Protected forests" includes both demarcated and undemarcated protected forests.

(4) "Right-holder" means a person entitled to a right over land or trees in a protected forest which is or are the property of another.

(5) "Tree" has the same meaning as in the Indian Forest Act, 1878.

B.—Proprietary rights.

2. The soil of the protected forests belongs to the persons or communities recorded as proprietors of it in the Land Revenue Settlement record-of-rights, and these persons or communities may exercise over it all the rights of proprietors subject to the exceptions and limitations hereinafter specified.

3. Trees growing spontaneously or planted by the Government in the protected forests are, except where they stand on ban mafis, Gurhoo kharetars or fields assessed to land revenue or have been given to any person by a written (?) grant, the property of the Government subject to the limitations hereinafter specified.

4. In respect to grazing the rights of the owners of the soil of the protected forests are limited in the manner and to the extent hereinafter specified in the case of right-holders entitled to a right of grazing over the soil.

Provided that the owners of the soil of the protected forest in Mauza Boh may allow the buffaloes of Ban Gujars and of others who are not right-holders to graze within the areas of which they are owners and may take grazing fees from them.

5. In the protected forests no land can be appropriated for the purpose of cultivation or making a hay-field (kharetar) by the owners thereof or by any one else except with the previous sanction of the Revenue authorities which may be refused in the interest of the rights of the Government in the trees or of other rights (if any) which the Govenment may possess.

C.—Rights of right-holders.

6. Besides the special rights of Gaddis hereinafter provided for the following are the right of right-holders for the exercise of which over land or trees belonging to others provision is made in this record :—

(1) To graze their own cattle, sheep and goats.

(2) To take trees—

for agricultural implements and domestic utensils ;

for construction and repair of dwelling-houses, cattle-sheds and other agricultural buildings ;

for fuel for daily use, and for marriage and funeral ceremonies ;

for cremation of the dead;

for charcoal to be used in the manufacture and repair of agricultural implements.

(3) To take the following articles of forests produce :—

(*a*) Grass of all kinds for fodder and other purposes.

(*b*) Dry wood for fuel.

(*c*) Brushwood for fence.

(*d*) Side branches of trees for fodder and manure.

(*e*) Fallen leaves for manure and other purposes.

(*f*) Leaves of trees for tanning.

(*g*) Leaves of creepers.

(*h*) Bark of creepers.

(*i*) Stumps of trees for torches, fuel and charcoal.

(*j*) Fruits, flowers, medicinal and edible roots and leaves.

(*k*) Surface stones for building and other purposes.

(*l*) Earth for plastering, making vessels, bricks, and other purposes.

(*m*) Wild honey.

7. The proprietors and agricultural tenants of cultivated land to which is appendant a share in the soil of a protected forest or any part thereof may, subject to the conditions and limitations hereinafter prescribed and to the rules which Government may in exercise of the powers possessed by it in this behalf from time to time make, exercise over the Government trees standing in that forest or part of a forest all or any of the rights over trees mentioned in paragraph 6.

8. The proprietors of the soil of any part of a protected forest who are neither owners nor occupants of any revenue paying cultivated land in the village where the forest is situated may, subject as aforesaid, exercise in respect of the Government trees standing in that part the right to collect dry fallen wood fit only for fuel.

9. The proprietors and agricultural tenants of cultivated land to which in the detailed record of any demarcated protected forest all or any of the rights mentioned in paragraph 6 are declared to be appendant may, subject as aforesaid, exercise such rights within the parts of that forest specified in that record.

10. The proprietors of cultivated land and their agricultural tenants may as against the Government and subject as aforesaid exercise all or any of the rights mentioned in paragraph 6 over the trees belonging to the Government standing on any undemarcated protected forest, but nothing in this paragraph shall affect the right of any person other than the Government to call in question the title of any person to exercise such rights.

Endorsement No 2577, dated 14th April 1894, from the Senior Secretary to the Financial Commissioner, Punjab, to the Commissioner of the Jullundur Division.

Copy of Punjab Government No. 224, dated 6th April 1894, and of its enclosures with petition in original, forwarded with reference to his letter No. 1594, dated 28th May 1888 and No. 762, dated 17th March 1890, with the request that he will call upon Mr. Anderson to take the necessary action.

No. 288 C., dated Simla, the 10th September 1896.

From—M. W. Fenton, Esquire, Senior Secretary to the Financial Commissioner, Punjab,

To—The Revenue Secretary to Government, Punjab.

With reference to Mr. Douie's, letter No. 224, dated 6th April 1894, I am directed to submit Mr. Anderson's report showing the action taken in pursuance of His Honor the Lieutenant-Governor's orders on the Kangra Forest Settlement case.

Copy of Commissioner, Jullunder's No. 2342-J., dated 27th August 1896, with enclosures.

No. $\frac{2342\text{-J.}}{\text{III}-5}$, dated 27th August 1896.

From—Lieutenant-Colonel C. F. Massy, Commissioner and Superintendent, Jullundur Division,

To—The Senior Secretary to the Financial Commissioner, Punjab.

On the 18th instant I received Mr. Alex. Anderson's printed report No. 972, dated 8th ultimo, explaining the action taken by him upon Revenue Secretary's letter to you, No. 224 of 6th April 1894, forwarded under your endorsement No. 2577 of the 14th idem. This report, now submitted with two spare copies, gives in detail the manner in which Mr. Anderson has carried out the instructions contained in the Lieutenant-Governor's note of 11th January 1894, regarding the settlement of the forests in Kangra Proper. No comments appear to be called for from me. It would only be a waste of time were I, who have no special knowledge of the subject, to offer an opinion upon principles which have already been accepted by Government. I studied the report with Mr. Anderson, paragraph by paragraph, and I believe it fully covers all points dealt with in His Honor's note.

2. There are several printed errors in the report. I have asked Mr. Anderson to send you a corrected copy.

No. 972, dated 8th July 1896.

From—A. Anderson, Esquire, Deputy Commissioner, Kangra,

To—The Commissioner and Superintendent, Jullundur Division.

I have the honor to report what action has been taken on Mr. Douie's No. 224, dated 6th April 1894, received with your No. 2332, dated 8th August 1894, and to submit re-drafts of the following notifications and rules, and records:—

(1) Record-of-rights (general provisions).

(2) Notification constituting the demarcated protected forests.

(3) Notification constituting the undemarcated protected forests.

(4) Reserved trees under Section 29 (*a*).

(5) Closed areas under Section 29 (*b*).

(6) Rules under Section 31 for the protected forests.

(7) Rules under Section 75.

2. Before considering the changes made in the records and rules I shall first dispose of certain preliminary points and as far as possible in the order in which they occur in the Lieutenant-Governor's note.

3. The first point is the legal position of the trihais or areas closed under Rule 20 of the Rules of 1859. Mr. Lyall, when Settlement Officer, wrote in 1865 that the theory of the trihai system was that all the forests should be marked off into three parts from one of which parts to another the temporary restriction on grazing should shift after fixed periods, but that few of the zamindars understood the theory and still fewer believed that the trihai would ever shift. All said that the shift would be a great evil to them and a great trouble to Government. A few complained very much of the position of the present trihai as unfair to them individually, but no one would advocate a shifting system. This feeling, which in

1865 within a few years of the demarcation of the trihais was already so strong, is now in 1896 very intense, and much dissatisfaction would be caused in many or most cases by a change in the closed area. Theoretically the neighbouring zamindars are entitled to the same rights in the trihais as in other waste. The closure was certainly intended to be temporory but the rules allowed the prohibition of grazing "for such period as the local authorities might determine," and as a fact these trihais have now been closed for 36 years.

4. I report what I wrote ten years ago that the people depend on these closed areas for their supply of fodder, especially in villages where the forest area is small or honeycombed by cultivation and where in consequence there has been no demaracation. They should not be thrown open to grazing (though trees may be given from them under proper supervision), unless an equal area is closed elsewhere. The question is how to arrange for this permanent closure or for the shift in cases where the trihais form no part of a larger demarcated forest.

5. The Lieutenant-Governor suggested two courses, *viz.*—

(*a*) either to leave them as they are, excluding them from the protected forest proposals; or

(*b*) to attach them to other protected forests, as there is nothing to prevent a protected forest from consisting of several distinct plots.

If the Rules of 1855 and of 1859 are in force and are continued, so that trepassers may be punished under them, then the first suggestion would sufficiently provide for the closure and preservation of these areas. On the other hand, the circumstances of the trihais would in most cases render the second proposal ineffectual for the purpose in view. The people who would exercise rights in the trihais if opened have probably no rights in any demarcated forest. If we attempt to close any part of a forest merely on the ground that a distant trihai is thrown open, the right-holders will naturally and rightly object that they gain nothing by the removal of the restrictions, and we could close only if closure was justified under Section 29 (*b*) without regard to the opening of the trihai.

6. The difficulty may be removed by treating these trihais as parts of the undemarcated forests which have been closed under Section 20 (*b*). There is no reason why parts of such forests should not be closed. The record of rights now prepared for the undemarcated forests will be applicable to the trihais and this will remove the objection that was taken to my original proposal. As they have been closed so long, there is a presumption that the people have sufficient waste for the exercise of the suspended rights, and thus these areas can be closed for 20 years more under the Forest Act. At the end of that time, when a change becomes necessary or sooner if it is expedient, the people should be required to set aside an equal area elsewhere from the open undemarcated waste. If the zamindars interested would prefer that the trihai should remain unchanged, and if there is no other objection then it seems to me that a new notification of the old closed area under Section 29 (*b*) would not be opposed to the spirit of that section and would be justified by the circumstances. Moreover, in 20 years the Act may be amended to cover such cases.

7. If the proposal made in the last paragraph is accepted, the trihais will not be shown as demarcated forests, but will be included in the general definition of areas forming the undemarcated forests, and a notification will issue for their closure under Section 29 (*b*). In the corresponding Kulu notification provision was made that, where any areas had been closed before the date of the notification, they should not be kept closed for more than 20 years from the date on which they were so closed. No such provision should be made in Kangra, as it would mean that all the trihais should be thrown open immediately on the issue of the notification. This would be misunderstood, and would defeat the proposals now made. Moreover, in arranging for the closure of forests, the Forest Officer should have in his hands the means of lessening the discontent by throwing open a trihai (see paragraph 15 of Sir J. B. Lyall's note).

8. The notification under Section 75 (*c*) for the preservation of trees belonging to Government but grown on lands belonging to private persons has been entirely changed and so drafted as to exclude trees standing on ban mafis or other waste, which do not belong to Government, and also trees in the reserved forests. All rules as to grazing have been omitted, and the rules are now restricted to matters directly affecting the trees only (see paragraphs 3 and 4 of the Lieutenant-Governor's note). With reference to the last part of paragraph 4 of the note, I wish to point out that records-of-rights were prepared for the villages in the Palampur (then Kangra), Dehra and Nurpur Tahsils. The record merely declared that in these villages the rights were the same as in the undemarcated forests generally, except in so far as they had been modified by the special agreements made with the

Government, and these modifications were specified, and the rules were drafted on the same lines as those for the protected forests. As it was not intended to make the waste in these villages protected forests, there was no authority under Section 28 for this record, nor would it be presumed to be true. Still it seemed to me that a record of the rights of the Government and of the people was a necessary or at least a most desirable preliminary to the issue of rules under Section 75 (c), and the record so prepared was included in the general record for the whole tahsil, but was distinctly excluded from the record prepared for the protected forests. The old rules under Section 75 were open to the same objections as those for the protected forests, but those now drafted are complete in themselves. They are discussed in detail in paragraphs 51—57 of this report.

9. In accordance with the directions given at the end of paragraph 7 of the Lieutenant-Governor's note, the Rules of 1855 and of 1859 may be considered as part of the record of rights; but I scarcely think that these rules were intended to restrict or did in fact restrict the substance of any right. In the Rules of 1855 there is a proviso that the Civil authorities shall "not interfere with the wood or fuel that may be really required by the occupants or owners of the land for agricultural or domestic purposes," and similarly as to the grazing of cattle and domestic animals of all kinds, it was laid down that "the proper grounds for the grazing or pasturing of such cattle be not interfered with." These two provisions practically cover all rights of any importance. The Rules of 1859 that touch on the substance of rights are Rules 7, 19, 20, 25. Rule 7 imposes a fee of 4 annas per tree on timber required for building and agricultural purposes. Rule 8 allowed the exercise of ancient rights subject to the restriction of closing. Rules 19 and 25 provided for closing, but it was distinctly laid down that a sufficent area had to be left open to meet the requirements of the zamindars for fuel and grazing. It seems to me that though the Rules of 1855 allowed the local authorities great latitude still the rights of the people were safeguarded, and the system of trihai instituted by the Rules of 1859 required that a sufficient area should be excluded for the exercise of rights. I doubt then whether there is any advantage in incorporating these old rules in the new record, and it has not been found necessary to refer to them in the record as now prepared. Paragraph 26 of the original record has been omitted—see paragraph 42 of His Honor's note. We can close under the Rules of 1855 one-third only if we leave sufficient for the exercise of rights, and we can do the same under the Forest Act.

10. All reference to a price for trees has been struck out of the record and rule and the only mention of any payment having to be made is contained in Rule 21, which is the same as in Kulu, in regard to which this question was fully discussed. Under this rule the royalty as now fixed will be taken before permits are issued. The royalty or revenue to be paid by *bartandars* will remain as at present in accordance with paragraph 13 of the Lieutenant-Governor's note. But it is necessary to point out that a mistake seems to have been made in paragraph 14 of Sir J. B. Lyall's note, where it is said that "the price was at first levied only for a few kinds of trees" and that "only some 20 trees seem to have been put on the list" in 1873.

Under the Rules of 1859 a price had to be paid for every tree cut for building or agricultural purposes, and long lists were prepared showing almost all the trees in the forests, and in some cases the price was less than 4 annas. As a rule the people took only the latter kinds for which the price was 4 annas. In 1873 the price of the more valuable trees was raised, but the orders then passed left the price of the other kinds as before. The list of reserved trees—see paragraph 38 of this letter—contains no trees for which a royalty had not been paid before the Forest Settlement began.

11. It may be mentioned here that the rule requiring double royalty to be paid in cases where the trees were given to bartandars living in another village was in force long before my inquiry began, and was based on the second clause of Rule 7, given in paragraph 200 of Mr. Lyall's Settlement Report. So also the rule that one tree might be given for each rupee of revenue was acted upon before my record was made. How it came into force I cannot say, but it was probably based on the first clause of Mr. Lyall's rule just referred to. The land revenue was assessed on the understanding that these two rules as to the price of trees and the number of trees should continue in force, and, though they have now been struck out of the record, I understand that they are still to be considered as binding (see last sentence of paragraph 13 and paragraph 39 of the Lieutenant-Governor's note). The double royalty will continue to be taken in the special cases referred to, and in granting timber for building purposes the Forest Officer will be guided by the rule that "one tree should be allowed for each rupee and part of a rupee, being 8 annas or more, of revenue, provided that the number of trees granted should not exceed 25, whatever the revenue be and of this maximum the number of chil should not exceed 10; but in special cases and for cause shown the Deputy Commissioner may in his discretion grant a larger number of trees, regard being had to the actual requirements of the applicant."

12. In accordance with paragraph 18 of Sir J. B. Lyall's note and paragraph 14 of the Lieutenant-Governor's note the revenue paid by bartandars for trees will be divided, half to the Government and half to the village officers and khewatdars, and of the price paid by traders and others who have no right to timber, one-quarter will be given to village officers and khewatdars. The fund thus formed will be distributed as under—

3 annas to the lambardar.

3 " " rakha.

2 " " patwari.

8 " " khewatdars.

No difference will be made in the distribution of the shares whether from royalty paid by bartandars or from price of trees paid by traders and others. These orders will not apply to the villages in Dehra and Nurpur Tahsils, where special agreements were made in 1872-75 for the division of forest income.

13. With regard to paragraph 16 of His Honor's note, a proposal was made in my No. 16, dated 3rd January 1896, to convert the grain payments made to the rakhas or forest watchmen into cash payments in the form of a cess levied by a rate on the revenue, as had been done in Kulu. But it was held that it was now too late to make the proposed change and that the system of grain payments provided for in the land revenue settlement must be maintained.

In the original record (paragraph 28) I had held that the rights of user were allowed subject to the condition that the right-holders were responsible for the pay of the rakhas; but the Lieutenant-Governor in paragraph 44 of his note considered that it should be struck out unless some authority could be shown for it. In the correspondence above referred to I gave my reasons for imposing this condition on the enjoyment of the rights of user, and His Honor agreed that it might be allowed to stand as part of the record, subject, like all other entries in the record, to the right of persons interested to contest its correctness (Revenue Secretary's No. 166, dated 21st March 1896).

14. As to the grazing dues paid by Gaddi shepherds, I think that at present there should not be any enhancement of the rate. The times are becoming harder and harder for these men. Cultivation is extending and the grazing is getting poorer. Moreover, the zamindars are keeping more goats in villages where there is scrub jungle, and they are trying to keep the Gaddis away. There are more disputes now than there used to be, and there can be do doubt that the shepherds have now more difficulty in finding pasture.

15. The change introduced by Mr. O'Brien and referred to in paragraph 19 of the Lieutenant-Governor's note has resulted in larger collections, but I doubt if the real cause of the increase was understood. The change consisted of direct collections through the kotwals, who got a percentage on the fees, in place of the sale by auction of the right to collect the dues. The old contractors used to work through the Gaddi mukaddams, who collected the fees from the shepherds. Between the main range (Kandi) and the large grazing runs on the low hills toward the Beas there are many small patches of forest where the shepherds spend a week or two, and under the old system the contractor or the mukaddam took a small fixed sum for the grazing in them, and the actual enumeration did not take place until the flocks had reached the larger wastes lower down. Now the fees are collected direct from the shepherds and the sheep are enumerated wherever they remain longer than two days. These small runs would maintain a small flock for a month or two, but the Gaddis find it inconvenient to break up their flocks to suit the runs. The sheep often go to one run and the goats to another, depending on the nature of the grazing, but further sub-division rarely takes place. The result is that they have in some cases to pay full fees oftener than once. Again, they are beginning to spend a longer time on the Kandi, and they say they did not in former years pay for the grazing there. Formerly they got sufficient pasture in one or two places, now they have to go further into Mandi, Suket, Kahlur, Hoshiarpur and the Simla Native States, where they have again got to pay for grazing. They spend two months or more marching through this district on their way to and from the lower runs. The grazing for which the fees have to be paid lies in several talukas, even in different districts or Native States, and it is not at all easy to devise a system that will at once be fair to the shepherds and to the public exchequer. Perhaps the fairest arrangement would be to fix the grazing dues for a taluka for a term of years (not by auction, but by an average of past collections) and lease the collection to some Gaddi who would make his own arrangements with the shepherds subject to certain conditions. But I refer to this subject here not to propose a remedy or to get orders, but to draw the attention of my successors to it as a part of the administration of this district that requires to be watched.

16. In order, however, to reduce as far as posssible the inconvenience caused by the rule that prevants Gaddi shepherds from (halting more than two days in any forest where they have not a right of grazing (paragraph 18 of His Honor's note) and also to ease off the strictness of the rule as to paying grazing dues for very short halts, I have prepared a list of villages in which there is little or no forest waste, and have issued a notice that so far as Government is concerned Gaddis may ramain in these villages longer than two days. There are many such villages, and the people keep the sheep on their fields to manure them, paying sometimes either in cash or in grain to the Gaddis. The people and the Gaddis must make their own terms as to manure. The people may prevent them from grazing on their fields and hedge-rows unless the remuneration demanded by the Gaddis is reasonable. They both gain by coming to an understanding. I have not heard any complaints of late, and believe that these arrangements, which were approved in Revenue Secretary's No. 401, dated 12th November 1894, have removed or at least very much lessened the grievances complained of by the Gaddis.

17. The subject of the right of the Raja of Chamba to collect dues from Gaddis on account of grazing in parts of the Nurpur and Kangra Tahsils (see paragraph 31 of Sir James Lyall's note and paragraph 20 of the Lieutenant-Governor's note) was discussed with the Raja; but in the end the Lieutenant-Governor resolved to drop the attempt to come to an arrangement with him. At the same time the Raja was informed that the Punjab Government did not recognize any sort of right on his part to levy a tax on any persons on account of their grazing their flocks on land situated in British territory. The rate of grazing tax hitherto paid to the Government by the Chamba Gaddis for grazing in certain parts of this district was also raised to Rs. 2 per hundred, the rate prevailing in the district generally, and no reduction is now allowed in consideration of the fact that these Gaddis pay dues to the Raja of Chamba for the same grazing—see correspondence ending with Revenue Secretary's No. 124, dated 26th February 1896.

18. With reference to paragraph 21 of the His Honor's note, it may be recorded here that the Forest Department has taken charge of those forests outside the limits of the Dharmsala Municipal Committee that used to be under the management of the Commitee (Revenue Secretary's No. 409, dated 25th June 1895). The Conservator was asked to manage them as economically as possible as a kind of manager or guardian for the Committee to which it was ultimately decided (see Revenue Secretary's No 74, dated 24th January 1896) that the net income should be given. The net income is reckoned at the gross income less the amount actually spent on forest management *in situ*, but without any charge for the services of the Forester, Ranger or other superior officers of the Forest Department.

19. The former arrangements under which licenses are given to cut wood and grass have been continued. The only doubt that can arise is as to the grass licenses, as the grass is the property of the people and not of the Government. It seemed to me necessary to continue these licenses, because without them any one and every one would go and cut the grass without any payment and without any control. The licenses are taken out by the residents for their jhampanis and grass-cutters, and it would for some time at least be difficult to arrange for the necessary supply of grass. If there were no licenses, these servants would still cut the grass, and any orders to the contrary would be constantly broken, and there might also be encounters between the people and the grass-cutters. The Committee, at first were unwilling to allow the whole income from grass licenses to go to the zamindars, but they ultimately agreed, and this in may opinion removes at least one of the objections that may be raised to our interference in this matter (see paragraph 33 of Sir James Lyall's note). It may ultimately be necessary to stop the issue of grass licenses, but I doubt if the people will gain thereby, for the grass will certainly be taken as at present, and nothing will be paid for it. The Deputy Commissioner or Forest officer may be considered as acting for the village community, and if it is considered necessary the Kotwal (Zaildar) of Dharmsala, who is also Lambardar and Forest Ranger for the former Municipal Forests, may be looked upon as issuing the licenses on behalf of the village community and as manager of the common fund.

20. The forests in Palampur and Kangra Tahsils have also been transferred to the Forest Department, and all the forests of Kangra Proper are now under the direct management of the Forest Officer, except (*a*) the forests in the large jagirs, (*b*) the forests within Dharmsala Municipal limits, (*c*) the piece of forest near Dharmsala which was handed over to the Ist Gurkha Rifles as a fuel reserve, and (*d*) the ban-máfis in Tahsil Palampur. The Committee has, nowever, accepted a proposal made by the Financial Commissioner and has agreed to act on the advice of the local Forest Officer in managing and working the forests within municipal limits. The ban-máfis are private forests the management of which is, with the consent of the right-holders, left in the hands of the Deputy Commissioner (see Revenue Secretary's No. 6, dated 4th January 1894).

21. As explained in the Kulu Report, the rules are now quite independent of the record and prohibit only the acts which it is intended to make penal. The restrictions or regulations of the rights are now imposed by the rules and not by the record. The

regulations that will directly affect the right-holders were given in paragraphs 11—25 of the original record, and these have now been transferred to the rules. Sir J. B. Lyall wrote (paragraph 14) of these restrictions that, considered as equitable rules, there was little to object to them, and again (paragraph 37) that they appeared generally necessary and fair, though in some respects stricter than past practice and requiring to be worked with considerable leniency and discretionary relaxation. Instances might be given where my proposals are really more lenient than former custom, and I cannot but refer to Rule 5 given at garagraph 200 of Mr. Lyall's Settlement Report and to the memorandum attached to Mr. Lyall's précis of correspondence, dated 2nd March 1867. But whether these regulations are stricter or not, I understand that they have been accepted, and I write this with all the more satisfaction because these regulations form the really operative part of the rules, the part that will have a direct bearing on the daily life of the people. If the rakhas and lambardars obey orders and do not exceed their authority, the people will not suffer. I have no hesitation in saying that if the people get what these rules allow them to get, they can have no cause to complain.

22. In paragraphs 23 to 35 the changes made in the record are discussed. Since the original record was prepared a new tahsil has been constituted with head-quarters at Palampur, and that has necessitated a re-arrangement of the forests in the old Kangra and Hamirpur Tahsils. The general provisions now prepared apply to all the areas in the five tahsils of Kangra Proper which it is proposel to declare protected forests, exclusive of the forests in the jagirs of the Rajas of Lambagraon, Goler, Siba, Nadaun and Kutlehr, or under the management of these Rajas.

23. Some changes have been made in the definition of "undemarcated protected forest" as drafted by Sir Dennis Fitzpatrick. It is necessary to exclude not merely the reserved forests, but all the waste in the villages in which there are reserved forests, and this has been done by exceptions (*d*) and (*e*). The village of Gugar has been included in exception (*c*)—see paragraph 47 of His Honor's note. This is the village from which the station of Palampur was formed, and in consideration of the land taken up for that purpose the trees on certain waste were in 1863 granted to the khewatdars, who thus became full owners both of the soil and of the trees, and this land fell into the category of ban-máfi. There was no agreement giving up the right of closure, and though there is no waste in Gugar which will ever be closed still the village is in the same class as Chichiyan and Jiya, and has been shown accordingly.

24. A separate definition has been given of the term "unassessed waste and forest land." In the first record the assessment referred to was that of 1866-69. In the recent assessment considerable areas of waste and forest land which were unassessed at Mr. Lyall's settlement were brought into the bachh under the mistaken idea that as in the former so also in the new assessment the trees on assessed waste would be given up to the land-owners. Mr. O' Brien explained to the people that the rights of the Government over the trees would remain as before, even though the land was assessed, and that they might distribute the revenue as they pleased. The new *Wajib-ul-arz* did not sufficiently define the rights of the Government and of the land-owners in trees on waste land, and the Financial Commissioner has recently sanctioned a revision of the entries on this point, and the old entries of Mr. Lyall's Settlement will now be restored. The definition now given of "unassessed land" merely maintains the record as originally prepared. Besides "Garhu Kharetar," it does not include land that was sold in fee-simple to European planters which is not liable to assessment and on which the trees do not belong to Government; nor does it include land which, though unassessed in 1866-69, has under competent authority been broken up or otherwise appropriated.

25. In preparing the record and the rules it was found convenient to have a term other than right-holder to connote a person entitled to a right over the property of another, and bartandar has accordingly been used. It exactly suits the case, and khewatdar also indicates the class of right-holders who have rights as proprietors of the soil. Right-holder includes both classes.

It seemed possible to bring within the term right-holder (bartandar) as defined by the Lieutenant-Governor each individual sharer in common land, in so far as the land did not belong to him but to the village or tika or the whole body of sharers. Is such a sharer entitled to a right of grazing or of cutting grass or of collecting fruit *qua* sharer whether or not he has been accustomed to graze or cut grass or collect fruit? It was, I think, the intention of Sir James Lyall that each co-sharer should be considered as entitled to all the rights of property over the whole common land so long as it remained common, and an explanation has therefore been added to the effect that a co-sharer or "hissadar khewatdar" is not a bartandar in regard to the grazing, grass or fruit or other rights of a proprietary nature over the common land, and therefore he can sell the grass or other minor forest produce even though grown on land which is not his property but belongs to the whole proprietary body.

26. As the Conservator of Forests in paragraph 36 of his letter of 25th July 1888 thought that buffaloes were excluded from the Kangra as from the Kulu forests, it is necessary to note that it is not so. Buffaloes have grazed in the Kangra valley from time

immemorial. "Cattle" has been declared to have the same meaning as in the Forest Act. I do not think that elephants or pigs have ever been kept, and camels are kept only in a few places. It is not likely that the number of these animals will increase and thus the record has made no special provision for them.

27. Paragraph 2 of the record is as drafted by the Lieutenant-Governor, and the first part of paragraph 3 is also practically the same. Here, as elsewhere, the assessment referred to had to be defined as the assessment of 1866-69. The rights of Government in the trees are made subject to two special limitations,—the first that it may sell only such timber and trees as are not required for the use of bartandars, and the second that fruit and flowers belong to the khewatdars. The second proviso may not be quite necessary, but it is in accordance with what Sir James Lyall wrote in paragraph 8 of his note, and it makes more definite the rights of the khewatdars, *e.g.*, without this proviso the fruit might be considered as belonging to Government, being part of the trees. The third proviso is to meet the case of the assessed kharetars in the six villages mentioned, the trees on which were declared by Mr. Lyall at the time of settlement to belong to the Government (see paragraph 6 of the Lieutenant-Governor's note). From paragraphs 1 and 2 it would be concluded that all trees except those of spontaneous growth and those planted by the Government belonged to the owners of the soil, but such is not the case. Private persons have planted out fruit trees, or clumps of bamboos, and these are considered their property. The clause to provide for this follows closely Section 44 of Mr. Lyall's *Wajib-ul-arz*, given at the end of his note.

28. The only changes made in paragraph 4 are the extension of the proviso to the Nurpur Tahsil and provision for the right of khewatdars to take grazing dues from the occupants of sawanas in accordance with the Revenue Settlement Record (*cf*, paragraph 16 of the forest record). The limitations to be imposed on grazing are discussed in paragraph 33 of this letter.

29. In paragraph 5 as drafted there was no reference to partition. It may be said that partition is sufficiently provided for by the Land Revenue Act, but it would help the Revenue authorities and weaker and poorer khewatdars if an entry was made on the subject in the forest record. The records prepared by Mr. Lyall declared that "common waste of the nature of forest cannot be divided except with the permission of Government, which may be refused in the interest of forest conservancy" (see paragraph 191 of Mr. Lyall's Settlement Report). All waste is grazing ground, and under Section 112 (1) (*b*) of the Land Revenue Act partition may be refused; but in many cases the waste has not been actually described as "*charand*" in the revenue records, and partition has on that ground been allowed of waste which should not have been divided. If there is an entry that the partition of forest waste may be refused in the interests of forest conservancy then Section 115 would apply and litigation would be stopped.

30. The rights of Sawanadar-Gujars are similar to those of Gaddis, and have therefore been referred to in the beginning of paragraph 6.

31. Paragraph 7 of the record as originally drafted by the Lieutenant-Governor has been omitted in accordance with paragraph 9 of his note, and the only rights admitted over the trees belonging to Government are the rights that have been actually exercised, and the owners of the soil are not presumed to have any rights over the trees merely in virtue of their property in the soil. The record as originally prepared was based on orders passed on the Shahpur-Kandi Forests, and as the question will come up again in connection with these forests it seems necessary to explain in greater detail the reasons for the record. The question of the rights of the proprietors of the land was raised in Financial Commissioner's No. 733 S., dated 31st January 1881, in which Mr. Lyall laid down that "the proprietary communities' communal right of pasture must be admitted (subject to any servitudes which exist) as a necessary incident of their communal proprietary right." This is still allowed under paragraphs 2 and 4 of the present record, and subject to the same restrictions as bartandars, the khewatdars may graze their cattle over the whole area of which they are proprietors, whether they have been accustomed to do so or not. But Mr. Lyall went further and directed in the same letter that "the right to *forest produce* of the proprietary communities must also be admitted as an incident of their proprietary right subject to the right of Government to the chil trees which Government reserved at first settlement as a royalty." Again, in the memo. on the Shahpur-Kandi Forests, Mr. Lyall in paragraph 16 recorded that "the right of the proprietors of the soil" (*to forest produce as distinguished from a right of pasture*) "must be admitted as an incident of their proprietorship," and the context shows that he considered they had this right whether they had exercised it or not. In paragraph 17 of that memo. he suggested the following draft for the record of rights: "All proprietors of the soil of the demarcated forest and agricultural tenants holding under them have full bartan rights of all kinds. Other residents have bartan, if any, only to the extent to which they have hitherto continuously exercised and enjoyed as a right the particular bartan claimed." This shows clearly that the owners of the soil were to be considered as having all rights, whether they had exercised them or not. The rule was accepted by the Punjab Government in its No. 296 of 20th July 1883.

These orders are quoted only as a justification of the record as originally prepared by me, and not with the object of showing that the position then taken was correct. There is nothing in the Revenue Settlement Records prepared by Mr. Lyall that allows to the khewatdars more than "bartan" in its strict sense, and so far as the Government trees are concerned, their rights are now restricted to what they have acquired by use and exercise.

32. The next two paragraphs remain as drafted by the Lieutenant-Governor; perhaps the words "and to the rules which Government may in exercise of the powers possessed by it in this behalf from time to time make" might be omitted as surplusage. The paragraph defining right-holders in the undemarcated forests follows exactly the corresponding entry in the Kulu Record, where the subject was fully considered. Paragraph 10 remains as drafted by the Lieutenant-Governor.

33. Paragraph 11 has been drafted in accordance with paragraphs 31 and 32 of His Honor's note. The personal rights of the Gujars have been classed with those of the Gaddis, and, as in Kulu, the rights are declared appendant to land liable to assessment which has been brought under cultivation since the last assessment, that is, to new cultivation.

In the record as first prepared the rights were admitted "only for the actual ordinary agricultural and domestic purposes of the right-holders." It was not specially recorded, as was done in Kulu, that the right-holders might not graze cattle for purely pastoral as distinguished from agricultural purposes. In Kangra Proper, if we exclude Gaddis and Gujars, there is much less tendency than in Kulu to keep cattle, sheep and goats, other than those required for domestic and agricultural purposes; but here and there we do find zamindars with flocks of goats and herds of buffaloes which are kept more for purposes of trade than to meet domestic and agricultural demands. It has been clearly recorded in Mr. Lyall's Settlement Records that the grazing right of bartandars is "limited to the cattle of a man's own household kept for his own domestic purposes, not for trade purposes, such as sale of milk or ghi" (see section 18, abstract of Wajib-ul-Arz at end of Sir J. B. Lyall's note): but it is not so clear whether the right of grazing belonging to khewatdars as owners of the soil is to be limited in the same way as the grazing of bartandars. Sir James Lyall has himself argued against khewatdars having any more extensive right than bartandars in regard to grazing. He noted (paragraph 10 of his note) that under the records of the First Regular Settlement the khewatdars had a right to graze only their own cattle, sheep and goats. He held that they could not lease the grazing or allow persons who have no recorded rights to graze cattle gratuitously or otherwise, and that they had only a limited right to graze cattle. He also pointed out that grazing is partly browsing on the leaves of trees and bushes, and that all grazing more or less considerably affects the property of Government in the arborial growth. He, however, nowhere says that a khewatdar may not graze on common waste cattle belonging to himself, if they are kept for purposes of trade. Such grazing was forbidden to bartandars, and, from the silence of the revenue record in regard to khewatdars, it may be argued that they had a right to keep cattle for purposes of trade. The doubt on this point has, however, been removed by an entry made by Mr. O'Brien, in the new Wajib-ul-Arz prepared at the recent settlement, in which there is an entry as quoted in the margin, from which it follows that no khewatdar may graze cattle for purposes of trade. From the revenue records it may therefore be inferred that khewatdars and bartandars are in the matter of grazing subject to the same restrictions. This conclusion might also be drawn from the special circumstances under which the khewatdars became owners of the soil in Kangra, for before Mr. Barnes' settlement they were all bartandars and had no rights of a proprietary nature.

Kisi malik deh ko ikhtiyar nahin hai ki ma siwae gharu yane apne maweshi ke ziyada mal maweshi bataur tijarat lakar charawe. Agar aisa kare to digar malikan deh ko ikhtiyar hoga ki aise tijarati mal maweshi ko charai se band kar dewen.

34. In regard to the sale or other alienation of forest produce, Sir James Lyall considered (see paragraphs 8, 10 of his note) that khewatdars had a right as proprietors of the soil to collect and sell grass, honey, medicinal and edible roots, flowers, fruit and leaves of plants, and that the right of sale should be allowed only to khewatdars and not to bartandars. In theory this is no doubt correct, and in practice also so far as valuable fruit (e.g., harbar) is concerned; but as a fact a bartandar has never been prevented from selling grass, honey, &c., when once in his possession, even though he found such forest produce on trees or on land not belonging to him. The record now prepared is in accordance with the theory (see paragraph 8 of No. 137, dated 6th March 1896, in regard to Kulu), and no bartandar is admitted to have a right of sale. Under it no one may sell timber or trees which belonged to Government and which he acquired as a bartandar: nor may he sell any grass or other minor forest produce which belonged to the khewatdars and which he acquired as a bartandar. How far the record should be enforced, that is, how far the sale of such trees and timber, and of such grass and minor forest produce, should be made penal will be considered hereafter under the rules (see paragraphs 46 and 47).

35. Paragraphs 13, 14, 15 are the same as in Kulu, and no objection was taken to paragraphs 16-21, which formed part of the original record, and paragraph 22 has been accepted as already noted in paragraph 13 of this letter.

36. The notification constituting the demarcated protected forests remains as before, except that there is a new arrangement of the forests in consequence of the old Kangra and Hamirpur Tahsils having been broken up into three tahsils, the new tahsil having its head-quarters at Palampur. The forests in all five tahsils have now been thrown into one list. The isolated trihais have been excluded from the demarcated area, as explained in paragraph 7 of this letter. The areas have been made to correspond with the new settlement records, and any mistakes discovered have been corrected.

37. Though no direct objection was taken to the notification for the undemarcated forests, still it has been recast in accordance with the Lieutenant-Governor's orders on the Kulu Forest Settlement (see paragraph 24 of his 2nd note). The former notification declared all "unassessed waste and forest land" with certain exceptions to be protected forest. I have already explained the difficulty arising from the fact that waste unassessed at Mr. Lyall's Settlement has in the recent assessment been brought into the bachh, so that the term "unassessed" could be used only if specially defined. The new notification would make protected forest "all forest and waste land upon which the trees have been declared in the Revenue Settlement Records to belong to the Government" with certain exceptions. The old definition of undemarcated protected forests has been retained in the record of rights, but both are the same. It is unnecessary to enter in the schedule attached to the notification (*a*) the ban-mafis in Chichiyan, Jiya and Gugar; (*b*) the waste land in the Lambagraon Jagir; (*c*) Garhu Kharetars assessed to revenue; (*d*) land held in fee-simple; and (*e*) new cultivation, as the Land Revenue Records do not declare the trees on such lands to be the property of Government, and these lands not being included in the general notification do not require to be excluded by the schedule.

38. The notification for reserved trees remains as before. In paragraph 40 of my original report I suggested that the less valuable trees might be struck out of the list. The Conservator of Forests (see paragraph 15 of his No. 320 of 25th July 1888) was opposed to any reduction of the number.

39. The notification for closing certain areas under section 29 (*b*) follows the corresponding notification for Kulu with the difference already explained in paragraph 7 of this letter. The list includes all the present trihais.

40. The first four rules are the same as the corresponding rules for Kulu. In Rule 5, which is concerned with grazing in the undemarcated forests, it was necessary to provide for the fact that the proprietors of the soil of these forests are entitled to grazing, even though they may not have any cultivated land in the Kangra Valley. Rules 6 and 7 provide for the personal rights of the Gaddis and Sawanadar Gujars, and Rule 8 allows to khewatdars the special right of leasing the grazing in Nurpur Tahsil and in village Boh of Kangra Tahsil. Rules 9, 10, 11 are as in Kulu.

41. By Rule 12 the trees are divided into two classes. The first class consists of the trees which it is proposed to declare reserved trees, and the second class consists of all other trees, including brushwood. In drafting the new rules I have avoided the use of the term brushwood, as under the Act it is included in the general term "trees," and it is very difficult to get any definition of "brushwood" which would not be open to some objection. The change has in no way taken from the zamindars anything allowed by the old rules. "All dry standing brushwood" may still be cut without permission, as it will come under the head of "dry standing trees of less than a hath in girth at the ground." Green brushwood may as before be cut with the lambardar's permission under Rule 14 (1), and without permission for burning the dead under Rule 24. As to lopping, brushwood is not lopped for manure, and only rarely for fodder. There is really no difference between cutting brushwood to make a fence and lopping it for fodder, and both acts are now treated in the same way; that is, green brushwood may be cut only with the lambardar's permit.

42. Rules 13, 14, 15, 16, 17 follow the first draft. Rule 18 has been modified in accordance with paragraph 41 of His Honor's note. Rule 19 is the same as in Kulu, except that authority is taken to allow the building to be constructed in another village, such authority to be exercised when double royalty is paid, as explained in paragraph 11. Rules 20 to 23 (inclusive) call for no remarks, being the same as for Kulu, or having been already accepted for Kangra.

43. Rule 24 follows the lines of the corresponding rule in Kulu. The condition as to lopping that the branches cut should not exceed a hath in length has now been omitted in accordance with Mr. O'Brien's objection (see paragraph 2 of Revenue Secretary's No. 224, dated 6th April 1894). The Dhaman trees are mostly in hedgerows or on fields, but no doubt there are some such trees in the forests, and in this case the branches cut are often more than a hath in length, as the bark is also used as a fibre. Provided the condition that the branches are not thicker than a finger is observed, there will be no loss from the removal of the condition as to length, as the latter condition could be evaded by lopping a tree twice.

It was suggested by the Conservator of Forests and accepted by Mr. Mackworth Young that Kakaran, Harar, Mahwa and Bahera should be added to the list of first class trees that may not be cut for burning the dead. This has been done. They are cut for that purpose very rarely, if ever. So under the same circumstances Kakaran has been added in Rule 25 to the list of trees that may not be lopped for any purpose.

44. By paragraph 7 of the record of rights the owners of the soil of the forests have a right to collect dry fallen wood fit only for fuel, even though they are neither proprietors nor tenants of any cultivated land; and this right extends to both demarcated and undemarcated forests in so far as the soil belongs to such proprietors. Having regard to the prohibition in Rule 10, it is necessary to provide for this right. The right is allowed under Rule 9 in demarcated forests, and a rule was required only for the undemarcated forests; but Rule 26 as drafted applies to all forests, as this will be better understood. Rules 27 and 28 provide for certain forest rights of the Gujars and Gaddis. Rule 29 allows non-agriculturists and travellers to take fuel and grass. It is not based on any right, and there is no corresponding entry in the record (see paragraph 29 of His Honor's note). Rules 30 and 31 prohibit barking, girdling and tapping, and the removal of wood for torches from standing green trees. Perhaps Rule 31 might have been omitted as the trees that might be injured will be reserved and section 32 (*a*) will apply, but as chil trees are often damaged, it seemed better to have a rule on the subject.

45. The record in regard to the extension of cultivation and appropriation of waste for hay fields or other purposes is as drafted by the Lieutenant-Governor—see paragraph 43 of his note. In framing the rules the first point for decision is whether we are morally and legally justified in making an absolute rule prohibiting new cultivation in the demarcated forests. Sir J. B. Lyall approved of such a rule and wrote (in paragraph 37 of his note) that "the absolute prohibition of cultivation in the demarcated forests was one of the main principles upon which the demarcation was made" (see also paragraph 17 of his note). Moreover, the people as a whole will welcome the prohibition. It is only the powerful or intriguing landowner who gets land for new cultivation in the middle of an open waste. Such new cultivation may interfere with the grazing of small proprietors and of tenants, but they dare not object. There is very little gain and much loss to the people from breaking up small patches scattered over an open grazing ground. The rights of the Gaddis should also be considered. I have no hesitation in saying that the prohibition is justified in the interests of the people generally and will be approved by them. It seems to me that the prohibition is also legal. The entry in the Settlement Record was to the effect that no land could be appropriated except with the sanction of the Revenue authorities, which sanction might be refused in the interests of the rights of Government over the trees. The Revenue authorities have demarcated certain areas, and they wish to say once for all that no new cultivation will be allowed in these areas. The people have a right to apply for sanction and we have a right to refuse it. Surely it is legal to tell them that they need not waste time and money in applying for what will be refused. In my opinion the Government has a right to declare that no extension of cultivation will be allowed within certain limits. There are two ways of enforcing this right. We may either issue a notification under Section 29 (c), or a rule may be made under Section 31. It does not make much difference which course is taken. Two rules have accordingly been drafted: one prohibits absolutely the clearing of land in the demarcated forests (Rule 31 (1)), and the other prohibits the clearing of land in the undemarcated forests, except with the permit of the Deputy Commissioner (Rule 31 (2)). Though the landowners have no right to partition the land nor to enclose it for making hay fields except with permission, it does not seem necessary to make these acts penal. There is nothing in the Rules of 1855 as to the power of the Civil authorities to prohibit the extension of cultivation, but under Rule 7 they may "prohibit any operation which they may consider calculated to destroy or injure existing supplies of timber or fuel," and under this they could prevent the clearing of jungle. Still it does not seem to me that in regard to the extension of cultivation the rules of 1855 can put us in a stronger position than that we already occupy under the revenue records.

46. Two rules have been drafted as to the sale of forest produce. The second follows the Kulu rule, but I prefer the first, which is more limited in its scope and makes penal the alienation only of timber and trees acquired by bartandars. The first draft goes as far as we want to go, and being more definite is less liable to misinterpretation than the Kulu rule,—see paragraph 23 of His Honor's note on Kangra and paragraph 6 of Mr. Thomson's No. 137, dated 6th March 1896.

47. Sir James Lyall wished that the right of sale of grass and other minor forest produce should be limited to the proprietors of the land, but he may not have intended to make the sale of such produce acquired by bartandars an offence under the rules. I am strongly of opinion that, whatever the record of rights may say (see paragraph 34 of this letter), we should not attach a penalty to the sale by bartandars of grass or fruit or such like forest produce which they have acquired from the land of others. Such a rule would scarcely be workable, *e. g.*, it would be almost impossible to distinguish between grass cut from a man's own land and grass cut from the land of others. It will be difficult enough to work the rule in regard to timber and trees, but there is some justification for the rule

in that case. The first draft of the rule does not prohibit the alienation of anything but timber and trees, but the proviso is necessary so far as it allows sale of fuel at encamping grounds, and in allowing the sale of fruit, flowers, &c., it may prevent a possible doubt. Magistrates will see that the intention is to punish only the sale of wood. The sale of grass, whether by khewatdars or by bartandars, is not prohibited (paragraph 33 of the Lieutenant-Governor's note).

48. The rules as at first drafted provided that no wood or grass could be cut for sale except with the permission of the Deputy Commissioner, and that except as provided in the record of rights no one could pasture cattle without the same permission. Sir James Lyall objected that grass was the property of the khewatdars, and also that Government had no authority to allow persons other than right-holders to graze (see end of paragraph 10 of his note); and the new rules therefore are silent on these points. Rule 34 places the removal of timber for purposes of trade and the grant of licenses for sale of timber in the hands of the Forest Officer under the control of the Deputy Commissioner. The original record of rights prohibited the sale of trees to an extent that might interfere with the due supply of the bartandars, and the new record and the new rules repeat the prohibition (see paragraph 34 of Sir James Lyall's note). The Government right of sale is specifically limited to such timber and trees as belong to Government and are not required for the bartandars. Provision has been made for all the matters contained in the rule drafted in paragraph 24 of the Lieutenant-Governor's note.

49. Rules 35 and 36 follow the Kulu rules, where the necessity for such provisions was fully considered.

50. In the original rules it was not proposed to restrict in any way the burning of lime and charcoal so far as right-holders were concerned; but it was proposed to prohibit these acts to others than right-holders except under the Deputy Commissioner's permission. As the protected forests include practically all the waste and as charcoal must in many cases be burned in the waste, it does not seem to me possible to require zamindars who are entitled to timber for charcoal to take out a permit from the Deputy Commissioner or any Forest official. The most that could fairly be done would be to make a rule that if the bartandar intends to make the charcoal within the limits of the protected forests, he shall be bound to make it at a place fixed by the lambardar, and to take all reasonable precautions to prevent the forest being set on fire.

Section 32 (*d*) and (*e*) applies without any rule, and the rule would not do much more.

As to persons other than right-holders, they are not entitled to wood to burn lime or charcoal, and they must therefore apply to the Forest Officer for it, and he may attach any conditions he thinks right to the license to cut the wood. It seems unnecessary therefore to make any rule (see paragraph 28 of His Honor's note).

51. I now proceed to the rules under section 75 (*c*) for the preservation of Government trees growing on lands belonging to private persons which, for reasons already given, cannot be declared protected forest. The Lieutenant-Governor has laid down in paragraph 5 of his note that the rules should be self-contained and should start by reciting the recognition by Government of whatever rights of the zamindars and others over the trees belonging to Government may be found to exist. He has also recorded elsewhere that there is no obligation to prepare a record before making rules under section 75 (*c*). As has been explained in paragraph 8 of this letter, a record was prepared by me, but it was open to the same objection as the former and also the present record for undemarcated forests. Besides, the rules depended on and referred to the record and required to be revised in the same way as the rules under section 31 of the Act.

52. In drafting the new rules a difficulty arose from the want of a record of bartandars. In the case of the undemarcated protected forests there is a record which defines the rights of one village over trees standing in another. Such a record might easily have been prepared, and the material is already collected, but there is no authority for the preparation of such a record, which would not carry with it any presumption of correctness, and probably any reference in the rules to such a record would be considered objectionable. Perhaps the rules might have been made the means of publishing a complete record of rights and of right-holders, but I do not think that that was what the Lieutenant-Governor intended when he wrote that the rules should start by reciting the recognition by Government of the rights of the zamindars and others.

53. The preamble to the rules declares them applicable only to those trees that are the property of the Government, and it further recites that the Government property in the trees is subject to the rights of agriculturists as recorded in the land revenue records. The rules are further restricted to the Government trees on certain lands which have been described in a schedule. It includes the Garhu Kharetars in six villages upon which the trees belong to Government and the "unassessed forest and waste lands" in the villages of Palampur, Dehra and Nurpur Tahsils, in which under special agreement with the zamindars we have given up our right to close. The words "unassessed forest and waste lands" have been defined, and the definition agrees with the corresponding definition in the Protected Forest Rules.

54. The rules follow closely those prepared for the protected forests, excluding all references to rights and right-holders, and are restricted to matters directly affecting the Government property in the trees. Sir James Lyall himself showed that "all grazing more or less affected the property of Government in the trees," but in accordance with paragraph 5 of His Honor's note no rule has been drafted imposing restrictions on grazing. It is, in my opinion, for consideration whether a rule might not be made on the lines of rule 8 of the Protected Forest Rules. It would assist small land-owners and tenants against unscrupulous lambardars and large land-owners, and it would indirectly tend to the "preservation and reproduction" of the Government trees. So also there is no rule to prevent new cultivation or the appropriation of waste. It will be very difficult to cultivate land without in some way damaging or cutting trees, and then the rules will come into operation. Still in the interests of the people themselves, as well as of the rights of Government, there would be a decided advantage in having a rule that none of the unassessed waste in the 67 villages mentioned in the second clause of the schedule should be cleared for cultivation except under the permit of the Deputy Commissioner.

55. Rule 2 may not be quite necessary, but it is convenient to have in the rules the principle laid down in the Land Revenue Records, according to which the rights of Government can be determined. Rule 3 is a general prohibition, and the rest of the rules provide for the exceptions to this prohibition, that is, they provide for the rights. Rules 4 and 5 allow the proprietors and tenants of cultivated land in the Kangra Valley to do certain acts for certain purposes. This is open to the objection made by me (see paragraph 10 of Sir Dennis Fitzpatrick's note) to a similar mode of treating the undemarcated protected forests. In that case the difficulty was removed by making a record as explained in the Kulu Report, but that course is not open to us in the present case, and there is no rule under section 75 (*c*) corresponding to rule 10 (2) under section 31. There is, however, this advantage in the case of the rules under section 75 (*c*) that there is no record to tie our hands except the settlement records, and it will be possible to issue executive instructions to the lambardars and Forest officials as to how they are to exercise the authority given them by the rules. They will be directed to give permits only to those who are now entitled under the Land Revenue Records to receive timber and trees, and to guide them in deciding who are so entitled, a list will be prepared as in the undemarcated protected forests showing the tikas of one village that have been accustomed to exercise rights over trees belonging to Government standing in other villages. The settlement records often show what villages are entitled to graze in other villages, but rarely contain any reference to a right to timber, and indeed it is comparatively rare for one village to get building timber in another, though it may get dry wood for fuel.

56. The classification of trees is as in the protected forests, but none of them are "reserved," and it has therefore been necessary to frame an additional rule for the protection of the trees against fire (see rule 2). Rules 8 to 17 (inclusive) follow the rules under section 31. The first clause of rule 19 differs somewhat from the corresponding rule for protected forests. The acts mentioned can be done without a permit only by those who have either under the rules or under the Land Revenue Records a right to do the act. In rule 24 the words "if the right-holders do not object" have been omitted, as in the corresponding rule for protected forests they were intended to refer more to grazing and grass than to fuel; and moreover it is not possible to say who a right-holder is in the case of the rules under section 75 (*c*). Rule 28 applies to trees of the 1st class, the provisions of section 32 for the protection of reserved trees against fire. Rules 35 and 36 for Protected Forests have been omitted; it does not seem possible to make provision for these matters under section 75 (*c*).

57. In carrying out these rules in criminal courts the first question to be asked will be whether the accused is the proprietor or tenant of cultivated land, and if he is not, then there has been a breach of the rules unless he comes into the special classes referred to in rules 21, 22, 23, 24. Again, even though he is a proprietor or tenant, if he has done any act absolutely forbidden by the rules, or forbidden without a permit, he is guilty of a breach of the rules. Nothing is made penal except acts that would be penal if done by a right-holder as defined in the Protected Forest Rules.

58. The detailed record for each demarcated protected forest remains as before, and it is unnecessary to resubmit it. A record has now been prepared showing, as in Kulu, the villages and parts of villages which have been accustomed to exercise rights over the Government trees standing in other villages. It can be submitted if necessary.

59. A separate letter will be sent reporting on and returning the petitions on Kangra Forest matters presented to the Lieutenant-Governor when in this district.

From the Senior Secretary to the Financial Commissioner, Punjab, Government notes on letter No. 238 C. dated 10th September 1896.

1. I will take Mr. Anderson's proposals as nearly as possible in the order in which they occur in his letter No. 972, dated 8th July 1896.

2. *Paragraphs* 3-7.—I agree that the trihais may be treated as part of the undemarcated protected forests.

3. *Paragraph* 8, relating to rules under section 75 of the Act, I will consider in connection with paragraphs 51-57.

Record of Rights.

4. *Paragraph* 9.—As Mr. Anderson finds no occasion to refer to the rules of 1855 and 1859 in his record of rights, I agree that there is no need to append them to that record.

5. *Paragraphs* 23-35.—It will be convenient to consider these with the amended general provisions of the record of rights.

General Provisions 1 (1).—I don't understand the definition of "demarcated protected forests" in the amended record of rights. I see the definition I originally proposed might not be a convenient one, but it is hard to say what this new one means. Does it mean that there is in the detailed record of rights some proposal to declare certain forests protected? If, as I understand is the case, all the forests in question are shown in the detailed record of rights under the heading "Demarcated Protected Forests," it would be better to say simply "Demarcated Protected Forests means the areas specified in the detailed record of rights under the heading Demarcated Protected Forests."

There is no proposal in the record of rights to declare any forests protected, but the record was prepared on the understanding that it was the intention of the Government to declare these areas protected forests. His Honor in his draft defined "Demarcated Protected Forests" by reference to the draft notification, but that did not seem complete unless the details of the draft notification were included in the record, and in fact the record did give the details; and therefore I added the words "Specified in the detailed record of rights." The reference to the draft notification may be and is now struck out.

A. A.

6. *Clause* 1 (4)—

(*a*) I don't know why "Garhu Kharetars and other land on which a portion of the revenue was distributed in the bachh of 1866-69" are shown as an exception. They seem to be excluded by the definition itself.

Clause 1 (4)
(*a*) "Garhu Kharetars, &c.," are excluded by the definition itself. This exception was entered merely in order that those working the rules might have the fact before them, and might thus avoid mistakes. It is now struck out.

(*b*) I don't understand what "otherwise appropriated" means. The soil already is the property of certain persons or communities. Possibly "appropriated" is intended to mean "appropriated" to some particular purposes as in paragraph 5, but if so the purposes should be specified.

(*b*). Land is sometimes appropriated for building purposes with the permission of the Revenue authorities. This was in my mind in writing the words "otherwise appropriated." Perhaps the term "enclosed" is sufficient. The words "otherwise appropriated" are now struck out of clause 1 (4) (*c*); also out of rules under section 75 (*c*); also out of definition of land assessed to revenue in Rule 3 of rules under section 31.

A. A.

Remarks (*a*) and (*b*) apply also to the corresponding portions of the rules under section 75 (*c*).

7. *Clause* 1 (5).—It is somewhat awkward to use the term "right-holder" out of the sense in which it has come to be ordinarily understood, *viz.*, as equivalent to "bartandar." Moreover, I can't find that the word "right-holder" after being defined is used anywhere in these general conditions, but the phraseology proposed by Mr. Anderson seems convenient in the rules, and so it may stand here too.

8. *Paragraph* 2.—It will be well in order to make matters clearer, to substitute for the last eight words of this paragraph the following: "subject to the rights of the Government and the bartandars and to the other limitations and exceptions hereinafter specified."

9. *Paragraph* 3.—For a similar reason I would substitute here for the words "subject to the limitations hereinafter, &c.," the words "subject to the rights of the bartandars and the other limitations and exceptions hereinafter s pecified."

Paragraph 10.—Condition (*a*) was put in with reference to section 44 of the Revenue Wajib-ul-arz,—see Sir James Lyall's note,— and considering the importance he attached to it, I thought it safer to record the condition in full. The subject is also provided for in the rules.

A. A.

10. If this is done condition (*a*) becomes superfluous, for the rights of the Government will be subject to the rights of the bartandars.

11. Condition (*b*) adopts Sir J. B. Lyall's phraseology as to "arborial growth," &c., which, though very well in an office note, will not do in a legal document of this sort.

As I understand Sir James Lyall's view of the position which seems to be adopted by Mr. Anderson, the Government owns nothing but the trees as defined in paragraph 1 (6). Hence under paragraph 2 the grass is the property of the owner of the soil subject to the rights of the bartandars, and of course subject to those rights they can sell it or do what they please with it. It would be the same with anything else which was not part of the trees, and the only question seems to be as regards the fruit of the trees, and the peculiarity about this is that the proprietors of the soil on which the trees grow are said to have in the fruit something more than the ordinary rights of a bartandar; but Sir James Lyall at the end of paragraph 8 of his note still speaks of their right as a right of bartan, including, however, a right to take for sale as well as for use. I am not sure that this would not more properly be treated as a right of ownership in the fruit, for if the owner of the soil, after the rights of the bartandars to the fruit have been satisfied, is at liberty to take and sell all the rest he is practically owner. If the owner of the soil were to be declared owner of the fruit on the trees, the proper way to do it would be, after saying in paragraph 3 (1) "that the trees are the property of the Government subject to, &c.," to add "but the fruit on the trees is the property of the owners of the soil subject to the rights of the bartandars and the other limitations and exceptions hereinafter specified." If, however, we were, with Sir James Lyall, to regard the right of the owners of the soil in respect of the fruit merely as a right of the nature of bartan or *profit a prendre*, then we would say nothing at all about the fruit in paragraph 3, but we should have to add to paragraph 11 a proviso saying that nothing in this rule shall prevent the owners of the soil on which Government trees stand from taking the fruit of such trees for sale, and a similar proviso to paragraph 12.

Paragraph 11.—In the draft now made the fruit of the trees is declared the property of the owners of the soil.

A. A.

There is really, so far as I can see, little or no practical difference between the two courses, and I will leave it to Mr. Anderson to determine which should be taken; but whichever course is taken condition (*b*) of paragraph 3 will be superfluous, and may be omitted.

12. I do not understand the object of condition (*c*) of paragraph 3. So far as I can make out the Garhu Kharetars referred to are not being made protected forest, but are being dealt with under section 75 (*c*) of the Act. If this is so, nothing in paragraph 3 *can* apply to them. Unless there is something further in the matter that has escaped me, I would omit this condition (*c*).

Nothing in paragraph 3 *can* apply to these Kharetars, but I put in the condition to prevent some official ignorant of the subject from thinking that the waste in these six villages must be protected forest like other waste, and reasoning from paragraph 3 (1) that the trees on Garhu Kharetars in these six villages belonged to the Khewatdars. The condition is now struck out.

A. A.

13. Sub-paragraph (2) of paragraph 3, if it was to stand, would have to be considerably altered and expanded; but I think it had better be omitted. It must be remembered that the record required for the purposes of section 28 of the Forest Act need not be an exhaustive record showing the rights of all individuals as among themselves. It is enough if it is a record which the Local Government thinks "sufficient" for the purpose for which it is prepared. It must further be remembered that it is not a conclusive record, but is merely presumed to be true until the contrary is shown. Now the only effect of paragraph 2 of the record is—

Paragraph 3 (2) has now been struck out. My object in recording this right of individuals was to make the Forest Record at least as complete as the Revenue Records. It is sufficient that Government makes no claim to such trees.

A. A.

(1) to create a presumption that the soil of a protected forest belongs to the party recorded in the land revenue settlement records as the proprietor of it, and

(2) that that party, subject to, &c., &c., is entitled to exercise over it all the rights of a proprietor, which would include all rights over trees not growing spontaneously or planted by the Government which latter alone are excepted by paragraph 3.

But both these presumptions are open to being rebutted, and just as anyone might show that he, and not the recorded proprietor, was the real owner of the soil, so also he might show that he, and not that proprietor, was owner of the trees owing to his having planted them or to his having bought them, or so on; but it would be endless to deal with all this in the forest record of rights, and, as it all goes without saying, I think it is better to say nothing about it.

14. I see in paragraph 44 of my note I objected to what is now paragraph 22 of the record unless some authority could be shown for it, and I cannot find that any authority for it has since been shown.

I think paragraph 13 of my letter may have been overlooked. His Honor agreed that this condition might stand as part of the record.

A. A.

Yes. It may stand.

D. F.

THE RULES UNDER SECTION 31.

15. *Paragraph* 44 *of the letter.*—I do not understand how the right to collect dry fallen wood is allowed by rule 9 in demarcated forests to the persons referred to. It seems to me to be prohibited to them. Is it not "removing" "timber"? If so, then we ought to begin rule 9 by saying: "Except as provided in rule 26." I am not sure that we ought not to say: "Except as provided in rules 26, 27 and 28." We ought to do so if rules 27 and to 28 apply to demarcated forests, but perhaps they don't.

Under paragraph 7 of the Record, the owners of the soil of the protected forests (whether demarcated or undemarcated) are entitled to remove dry fallen wood. They are therefore bartandars and may under rule 9 remove such timber from demarcated forests in the exercise of a recorded right, like other bartandars. Rule 26 was necessary merely because such persons were by rule 10 (1) deprived of their right in *undemarcated* forests, as they may not necessarily be the owners of any cultivated land.

But rule 26 was, as explained in paragraph 44 of the letter, intended to apply to the demarcated forests, and rules 27 and 28 do certainly apply to these forests; hence rule 9 will as now drafted begin "Except as provided in rules 26, 27 and 28."

A. A.

16. *Paragraph* 46 *of letter.*—We may accept Mr. Anderson's first draft.

17. In looking back at rule 29 there seems to be a slip in the drafting which would be set right by inserting before the words "while *boná fide* travelling" the words "in the case of travellers and traders."

The necessary changes have been made.

A. A.

A similar amendment seems necessary in paragraph 24 of the rules under section 75 (*c*).

18. I am afraid the whole position as regards the trees subject to these rules is a terribly complicated one; but, having regard to what Sir James Lyall said in paragraph 4 of his note, there would have been difficulties about making the areas on which they stand protected forests.

19. I still do not think we could make a rule under section 75 (c) interfering with grazing as suggested in paragraph 54 of the letter. Nor do I think we could make a rule restricting cultivation or the appropriation of waste; and apart from any question of our powers under section 75 (c) it may be doubted, having regard to what Sir James Lyall has said in paragraph 4 of his note, whether we could with propriety make any rule of the latter sort which would help much in the direction desired by Mr. Anderson.

20. Send copy of the above unofficially to Mr. Anderson, saying that this terribly complicated matter has been throughout dealt with so much by me in direct communication with him that it is impossible now to expect any member of the Secretariat Staff to study it up and help with it. Hence the second head which is always so necessary in dealing with complicated subjects must be mine, and I regret that my head is so full of many other things just now that I cannot attend to this as I should have wished: but that I have read the papers through and have jotted down for his consideration the above remarks, and I should feel obliged if he would make, by hand, on a spare copy of the record and rules any amendments which they seem to call for. I would then submit to the Government of India, who, I believe, will be ready to pass in the case of Kangra, as in the case of Kulu, anything in reason that he and I agree to.

13-10-96.

D. F.

14-10-96.

M. W. F.

Under-Secretary, Revenue.

IN accordance with paragraph 20 of His Honor's note I send you these notes in print for favour of note and return. I also enclose 3 spare copies of the record and rules and of the first 19 paragraphs of His Honor's note for facility of use and reference.

30-10-96.

C. A. B.

A. Anderson, Esquire, Deputy Commissioner, Kangra (unofficially.)

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1. I have made notes where necessary in the margin, and I submit an amended copy of the General Provisions and of the Rules.

2. All the changes suggested by His Honor have been made.

Except the removal of paragraph 22 of the record of rights, as to which see paragraph 14 of His Honor's note and the reference in the margin.

3. I have given two drafts of paragraph 3 of the Record and of rule 29 under section 31 and of the corresponding rule under section 75 (c).

I accept the first and have struck out the second.
D. F.

4. The following changes are also proposed for His Honor's consideration :—

(*a*) The heading of the record might be extended, thus—

"Kangra Forest Record of Rights, prepared for the purposes of section 28 of the Indian Forest Act, 1878.

Under Notifications Nos. 207 and 208, dated 27th April 1885."

It is convenient to have a reference to the authority under which the record was prepared. It should perhaps be in the body of the record.

This is right. D. F.

(*b*). In paragraph 1 (4) (*a*) of the Record, in place of the original entry which has, under His Honor's orders, been struck out, I have entered "Land described in the Revenue Records as 'abadi.'" The reasons for this change have been given in my (unofficial) letter dated 21st October 1896.

The same change has been made in the explanation to the Schedule of Rules under section 75 (*c*), and also in the Schedule under draft notification of Undemarcated Forests (page 17 of my letter).

I have ascertained that there is no entry in the Revenue Settlement Records as to the trees on land entered as "abadi." The patches of land attached to houses may perhaps be looked upon as waste, but only by straining the natural meaning of that word. Government has never, so far as I know, ever made any claims to trees on "abadi" land. The changes now proposed will prevent unjustifiable interference with the people in regard to trees close to their houses.

10-11-96. ALEX. ANDERSON,
Deputy Commissioner.

No. 89, dated Lahore, 9th February 1897.

From—M. W. Fenton, Esquire, Revenue Secretary to Government, Punjab,

To—The Secretary to the Government of India, Revenue and Agricultural Department.

In accordance with the provisions of section 77 of the Indian Forests Act, 1878, I am directed by the Lieutenant-Governor to submit, for the sanction of the Governor-General in Council, a draft of the rules which it is proposed to issue under section 31 of the Act for the protected forests of the Kangra District (excluding Kulu).

2. The circumstances under which a settlement of forest rights in the Kangra District was undertaken were reported in Mr. Fanshawe's letter No. 203,† dated 27th April 1885, to the address of the Government of India in the Home Department, and in the previous correspondence alluded to therein; and, with Mr. Fanshawe's letter No. 211,† dated 27th April, were forwarded copies of *Punjab Gazette* Notifications Nos. 207, 208 and 209, directing an inquiry under section 28 of the Forest Act into the rights of Government and private persons in and over the forests and waste lands of (*a*) the Kangra and Hamirpur Tahsils, (*b*) the Dera and Nurpur Tahsils, and (*c*) the jagirs of the Rajas of Goler, Siba, Nadaun and Kutlehr. The rules under section 31 of the Act referred to above and the settlement now reported relate to (*a*) and (*b*) only. The forest rights in the jagirs are somewhat complicated and are reserved for separate consideration.

† Proceedings, April 1885, Nos. 28-41 A.

3. Mr. Anderson's Forest Settlement Report for Kangra is submitted herewith. It was completed by Mr. Anderson in 1887 and reached Government in February 1890. Sir James Lyall in February 1892, shortly before

handing over charge of office to Sir Dennis Fitzpatrick, wrote a very full note on the case in which he took exception in certain respects to the record of rights prepared by Mr. Anderson. Sir Dennis Fitzpatrick postponed dealing with the case until he had visited Kangra, and this he was enabled to do in the cold weather of 1893-94. As the result of his visit Sir Dennis Fitzpatrick recorded a note, dated 11th January 1894, a copy of which together with Sir James Lyall's note will be found in the Forest Proceedings of this Government, Nos. 1-20½ A. of April 1894 (copy enclosed).

4. It is perhaps unnecessary to trouble the Government of India with a detailed account of the numerous questions of mixed law and fact discussed in the Proceedings of April 1894. The orders contained in Sir Dennis Fitzpatrick's note took the form of instructions to Mr. Anderson, who had become Deputy Commissioner of the district, and in carrying out these instructions Mr. Anderson has worked under His Honor's immediate guidance and supervision. The record of rights and the rules connected with and dependent thereon were revised by Mr. Anderson, and in July 1896 re-drafts were submitted of the following:—

(*a*) Record of rights (general provisions).
(*b*) Notification for demarcated protected forests.
(*c*) Notification for undemarcated protected forests.
(*d*) Reserved trees under section 29 (*a*).
(*e*) Closed areas under section 29 (*b*).
(*f*) Rules under section 31.
(*g*) Rules under section 75.

A copy of Mr. Anderson's letter No. 972, dated 8th July 1896, explaining these and dealing *seriatim* with the points discussed in His Honor's note of January 1894 is enclosed herewith. The subsequent discussion between His Honor and Mr. Anderson in which the final form of the draft was settled is contained in the Secretariat notes, a printed copy of which is enclosed; and copies of the drafts (*a*) to (*g*) as so revised are submitted herewith. Those referred to above as (*b*), (*c*), (*d*), (*e*) and (*g*) have been published in the *Punjab Gazette*. Draft (*a*) (record of rights—general conditions) has not been so notified, as it is not the custom in this Province to publish records of rights in the Gazette. Draft (*f*) contains the rules under section 31 of the Act for which the sanction of the Government of India is now solicited.

5. In conclusion, I am to repeat what was said in paragraph 5 of Mr. Thomson's letter No. 306,§ dated 25th June 1896, reporting the Kulu Forests Settlement, as to the possibility of errors in a case so exceptionally complicated. In Kangra no less than in Kulu the rights of the people and of Government stand in the most varying and puzzling relations to each other. In fact Sir James Lyall doubted whether the settlement could be dealt with at all under the Indian Forests Act. Owing to the circumstance that the soil of the forests belongs to the people while the trees belong to Government, the conditions are even more complicated than in Kulu. However, the Lieutenant-Governor believes that the drafts and notifications now submitted represent, as nearly as it is practicable to ascertain them, the existing conditions, and that the definition of the legal relations of the parties concerned is warranted by these conditions. His Honor desires to repeat what has been said in the Kulu case as to the indefatigable industry, sound judgment, patience and minute knowledge which Mr. Anderson has brought to bear on this difficult case, and he feels sure that the Government of India will concur in this commendation.

§ Proceedings, July 1896, Nos. 43-67 A.

No. 90.

COPY, with copy of enclosures, forwarded to the Senior Secretary to the Financial Commissioner, Punjab, for information, with reference to his letter No. 288 C., dated 10th September 1896.

COPY of an endorsement No. 1081, dated 23rd February 1897, from the Senior Secretary to the Financial Commissioner, Punjab, to the Commissioner of the Jullundur Division.

COPY of Punjab Government No. 90, dated 9th February 1897, with copies of its enclosures, forwarded with reference to his letter No. 2342-J-III-5, dated 27th August 1896, for information and communication to Mr. Anderson.

$\frac{582}{79-2}$ F., dated Simla, the 23rd June 1897.

From—DENZIL IBBETSON, Esquire, C. S. I., Secretary to the Government of India. Revenue and Agricultural Department.

To—The Revenue Secretary to Government, Punjab.

IN reply to your letter No. 89 of the 9th February 1897, with which you forward, for information, certain correspondence on the subject of the settlement of forest rights in the Kangra District (excluding Kulu), and ask for the sanction of the Government of India to draft rules framed under section 31 of the Indian Forest Act (VII of 1878), I am directed to communicate the following observations.

2. It is noticed that the right of Government to protect, improve and reproduce the forest-growth is nowhere expressly asserted in the record-of-rights. The restrictions upon the exercise by the people of their rights in the soil which they own, that are imposed by the general conditions of the settlement and by the proposed rules, no doubt point to the existence of such a right on the part of Government; but in the opinion of the Government of India, it is desirable that a clear assertion of the right in question should be made in the record-of-rights under the head "General Provisions."

3. With regard to the draft rules under notice, I am to suggest the following small alterations for the consideration of His Honor the Lieutenant-Governor:—

Rules 22 *and* 23 taken together would apparently put it in the power of the "forest official" to nullify the permit in any case by omitting to mark a tree until after three months had expired. In the Kulu rules this is guarded against by the proviso to rule 14. In the rules under notice, rule 23 might perhaps run as follows:—

"All permits granted to bartandars to cut trees (including brushwood) shall remain in force only for three months from the date of the permit or of the trees being marked under rule 22, whichever is later."

Rules 24 (1) (*c*) *and* (*d*) *and* 24 (2).—For the words "at the ground" the words "at breast height" should be substituted, as the irregularities due to root-swellings make measurements at the ground unsuitable for the purpose in view. The same alteration was made in the corresponding Kulu rules.

4. Subject to the above amendments, the Government of India approve of the draft rules submitted, and are pleased to accord their sanction to them.

5. The Government of India have already expressed their appreciation of Mr. Anderson's work and their acknowledgments to Sir Dennis Fitzpatrick in the case of the Kulu Forest Settlement. I am to say that their remarks in that case apply with equal force to that of the Kangra Forest Settlement.

Endorsement by the Punjab Government.

No. 417, dated 14th August 1897.

COPY, with copy of Government of India letter No, $\frac{582}{79-2}$ F., dated 23rd June 1897, forwarded to the Senior Secretary to Financial Commissioner, Punjab, in continuation of the endorsement from this office, No. 90, dated 9th February 1897, with the request that the Financial Commissioner will cause the following addition to be made to clause 3 of the record-of-rights :—

"And subject to all such limitations and exceptions Government is entitled to protect, improve and reproduce the forest-growth within the area of the protected forests."

2. The Government of India letter No. 930 F., dated 8th October 1896 was forwarded to the Financial Commissioner with the letter from this office, No. 21, dated 14th January 1897.

COPY of an endorsement No. 5004, dated 3rd September 1897, from the Senior Secretary to the Financial Commissioner, Punjab, to the Commissioner of the Jullundur Division.

COPY of Punjab Government endorsement No. 417, dated 14th August 1897, with copies of its enclosures, forwarded for information and guidance in continuation of this office endorsement No. 1081, dated 23rd February 1897.

Part II.—Notifications and General Conditions.

6th March 1879.

No. 111 *F.—Notification.*—The Lieutenant-Governor is pleased to declare that the undermentioned forests, which were settled and constituted reserved forests in 1875 and have been continuously managed as reserved forests, shall, under Section 34 of the Forest Act, 1878, be deemed to be reserved forests under that Act.

(*Not dealt with by Mr. Anderson.*)

No.	District.	Pargana.	Names of Forests.	Boundaries.				Remarks.
				North.	*South.*	*East.*	*West.*	
1	KANGRA.	Dehra.	Kalidhar, Habrol and a portion of Gumar.	Village lands of Habrol...	Unreserved forests of Habrol.	Village lands of Habrol ..	Unreserved forests of Gumar and Habrol.	1. The boundaries of all the Government reserved forests entered in this statement are indicated by katcha pillars placed at main angles, and (except round the forest blocks Nos. 36 to 51 inclusive) wooden posts bearing serial numbers in vernacular have been erected at the boundary pillars of all these forests, and the boundary lines have been cleared from post to post. 2. These forest reserves are the sole property of Government, and are practically free of all rights of others. The arrangements effecting this were made by Mr. Duff, then Deputy Conservator of Forests of this Division, in communication with the Civil authorities in 1875 and were sanctioned in Punjab Government letter No. 221, dated 15th July 1876, addressed to the Financial Commissioner. The mutation of names was completed in 1875 by order of the Deputy Commissioner after full inquiry. 3. The term unreserved forest, as used in this statement, means land in which Government has joint proprietary right with the zamindars in the trees and other forest produce. 4. The term village land, as used in this statement, includes in most cases some unreserved forest.
2			Kalidhar, Gumar second portion.	Nala and village lands of Gumar.	Village lands of Bohan ...	Lands of Jowala Singh, lambardar.	Village lands of Gumar.	
3			Kalidhar, Bohan ...	Unreserved forest of Bohan	Unreserved forest of Bohan and a nala.	Grass preserve of Gigoo and other Gujars.	Village lands of Bohan.	
4			Kalidhar, Drang, Amb and a portion of Khandwar.	Village lands of Drang and Khandwar.	Village lands of Amb and Khandwar.	Village lands of Khandwar and Drang	Village lands of Amb and Drang.	
5			Kalidhar, Khandwar second portion.	Unreserved forest of Khandwar.	Village lands of Khandwar.	Village lands of Tiri ..	Village lands of Phakloh.	
6			Kalidhar, Phakloh ...	Unreserved forest of Phakloh.	Unreserved forest of Phakloh.	Unreserved forest of Phakloh	Unreserved forest of Phakloh.	
7			Kalidhar, Ghoala ...	Village lands of Ghoala ..	Village lands of Gagrni...	Village lands of Ghoala and Majin.	Unreserved forests of Ghoala and the lands belonging to Mussammat Raunku.	
8			Kalidhar, Gagrni and Bharnal.	Village lands of Majin ...	Unreserved forest of Gagrni	Village lands of Majin and Gagrni.	Village lands of Majin and Gagrni.	
9			Kalidhar, Thatair ...	Ditto ...	Unreserved forest of Majin	Unreserved forest of Majin	Village lands of Majin.	
10			Kalidhar, Chauki Dhorian.	Unreserved forest of Majin	Village lands of Majin ...	Ditto ...	Ditto.	
11			Kalidhar, Soniali ...	Tahl stream ...	A nala and unreserved forest of Majin.	Ditto ...	Ditto.	
12			Kalidhar, Tiri ...	Village lands of Tiri...	Village lands of Tiri ...	Village lands of Tiri ...	Ditto.	
13			Ban Nalian ...	Unreserved forest of Ghothialta.	Tahl stream ...	Village lands of Ghothialta	A nala and village lands of Ghothialta.	
14			Ban Khalag ...	A nala and village lands of Khariana.	Village lands of Khariana	Village lands of Khariana	Village lands of Khariana.	
15			Ban Jamoli ...	Ditto ..	Ditto ...	Ditto ...	Ditto.	
16			Ban Tilli ...	Village lands of Khairiana and Tatahan Kalan.	Village lands of Paisa ...	Village lands of Tatahan Kalan, Tatahan Khurd, and Paisa	Village lands of Khairian, Bougta and Paisa.	
17			Ban Chamb and Ghagar...	Village lands of Tatahan Khurd.	Ditto ...	Village lands of Tatahan Khurd.	Village lands of Paisa and Tatahan Khurd.	

No.	District.	Pargana.	Names of Forests.	Boundaries. North.	Boundaries. South.	Boundaries. East.	Boundaries. West.	Remarks.
18	(Continued).	(Continued).	Ban Kohli ...	Unreserved forest of Kohli	A nala and village lands of Khairian.	A nala separating Khairian from Kohli.	Village lands of Kohli ...	5. The only rights which now exist in any of the Government reserved forests entered in this statement are as follows:—
19			Ban Mehrban ...	Village lands of Tatahan Kkurd.	Village lands of Tatahan Khurd.	Village lands of Tatahan Khurd.	Village lands of Tatahan Kalan.	
20			Ban Khairian ...	Village lands of Khairian and Haripur.	Unreserved forest of Tatahan Kalan.	Village lands of Khairian,	Village lands of Khairian ..	(a.) In forest block No. 3 a right of way through part of this forest is allowed to certain Gujars of Drang; and certain Gujars of Amb have a right to water their cattle at a spring in the Amb portion of forest No. 3.
21			Dhar Paniali ...	Village lands of Tripal ..	A nala separating Tatahan Kalan from Tripal.	Village lands of Tripal ...	Ditto.	
22			Dhar Dhangar I ...	Village lands of Balaspur,	Unreserved forest of Dhangar.	Village lands of Larol ...	Village lands of Dhangar ...	
			Ditto II ...	Unreserved forest of Dhangar.	Ditto ...	Ditto ...	Ditto.	(b.) In forests Nos. 23 and 24 certain zamindars have a right of way through the second portion of Jaini to water their cattle at a nala on the other side of the forest, and other zamindars have a right to water their cattle at a spring in the Masrur portion of block No. 23.
23			Dhar Jaini, Masrur and Tungli.	Village lands of Balaspur and Nagrota.	Village lands of Balaspur,	Village lands of Balaspur and Nagrota.	Village lands of Balaspur and Nagrota.	
24			Dhar Jaini, second portion	Unreserved forest of Balaspur.	Unreserved forest of Balaspur.	Unreserved forest of Balaspur.	Unreserved forest of Balaspur.	
25			Ban Khamahan ...	Village lands of Larol ...	Village lands of Larol ...	Village lands of Larol ...	Village lands of Balaspur and Lalpur.	
26			Ban Baldoa ...	Village lands of Baldoa ...	Village lands of Jarot (Khalsa village) and Malela in the Goleir jagir	Village lands of Pargor in the Kangra Tahsil.	A nala and village lands of Baldoa.	(c.) The zamindars of the Jarpal hamlet have a right of way through the Baldoa forest No. 26, to water their cattle at a nala inside this forest.
27			Ban Jonat ...	Village lands of Jonat ...	Village lands of Dhameta,	Village lands of Jonat ...	Village lands of Jonat and Dhameta.	
28			Ban Lohjang ...	Village lands of Jonat, Anoh and Barle.	Village lands of Anoh and Katra.	Village lands of Jonat, Barla and Katra	Village lands of Jonat, Anoh and Barla.	(d.) Certain zamindars have a right of way through the Lohjang forest, No. 28, to water their cattle at a nala inside this forest.
29			Ban Samlian ...	Unreserved forest of Katra	Village lands of Sathana in the Goleir jagir.	A nala and village lands of Katra.	A nala.	
30			Ban Kahru ...	Village lands of Katra ...	Village lands of Katra ...	Gaj stream ...	Village lands of Katra ...	(e.) In all cases where roads or pathways pass thorugh any of the Government reserved forests mentioned in this list, there is no interference with traffic along such roads or pathways through the reserved forests.
31			Ban Balwal ...	Village lands of Rori Kori.	Village lands of Balwal...	Village lands of Rori Kori.	Unreserved forest of Balwal.	
32			Ban Chopla ...	Village lands of Chopla...	Unreserved forest of Chopla.	Village landsof Chopla ...	Unreserved forest of Chopla.	
33			Ban Chanaur ...	Unreserved forest of Chanaur.	Village lands of Tiramal	Village lands of Tiramal	Unreserved forest of Chanaur.	
34			Ban Tiramal ...	Village lands of Chanaur and Tiramal.	Ditto ...	Village lands of Tirama and Chanaur.	Unreserved forest of Chanaur and Tiramal.	
35			Ban Dodra ...	Village lands of Dodra ...	Village lands of Dodra ...	Village lands of Dodra ...	Unreserved forest of Tiramal and Kanol.	

36	KANGRA	Dehra	Ban Bakarer ...	Village lands of Gangot...	Village lands of Gangot...	Village lands of Gangot,	Unreserved forest of Bakarer.
37			Ban Bihan ...	Village lands of Dhaliara,	Unreserved forest of Bihan.	Village lands of Dhaliara,	Unreserved forest of Bihan
38			Ban Balian ...	Village lands of Garli ...	Village lands of Garli ...	Village lands Garli ...	Village lands of Garli.
39			Ban Dangarra ...	Ditto ...	Ditto ..	Ditto ..	Ditto.
40			Ban Sadwan and Garli ...	Unreserved forest of Sadwan and Garli.	Unreserved forest of Sadwan and Garli.	Unreserved forest of Sadwan and Garli.	Unreserved forest and village lands of Kloha.
41			Ban Kloha Khas, first portion.	Unreserved forest of Sadwan.	Village lands of Kloha ...	Road to Amb ...	Village lands of Kloha.
42			Ban Rakar and the second portion of Kloha.	Village lands of Kloha ..	Unreserved forest of Rakar.	Unreserved forest of Rakar.	Unreserved forest of Kloha.
43			Ban Kharoti ...	Village lands of Suti ...	Village lands of Kharoti	Village lands of Suti ...	Village lands of Kharoti.
44			Ban Bharanta ...	Unreserved forest of Bharanta.	Unreserved forest of Chapla.	Unreserved forest of Bharanta.	Unreserved forest of Bharanta.
45			Ban Chaplah ...	A nala ...	Unreserved forest of Kokahar.	Unreserved forest of Chaplah.	Unreserved forest of Kokahar.
46			Ban Kokahar ...	Ditto ...	Village lands of Kokahar,	Unreserved forest of Kokahar.	Village lands of Kokahar.
47			Ban Naun ...	Village lands of Ladoa and Katoh.	Unreserved forest of Naun,	Village lands of Katoh ...	Unreserved forest of Naun and village lands of Sard Lohari.
48			Ban Santhla ...	Unreserved forest of Santhla.	Unreserved forest of Santhla.	Unreserved forest of Santhla.	Village lands of Santhla.
49			Ban Saleti ...	Village lands of Saleti and Kuran.	Village lands of Saleti ...	Village lands of Kuran and Pundri,	A nala and village lands of Saleti
50			Ban Aloh I ...	Grass preserve of Garja zamindar.	Unreserved forest of Aloh,	Village lands of Aloh ...	Boundary line of the Kotlehr territory.
			Ditto II ...	Unreserved forest of Aloh	Boundary line of the Kotlehr territory.	Ditto.	Ditto.
51			Ban Jarni ...	Village lands of Chabar...	Village lands of Kanlapur.	Village lands of Chabar and Har.	Village lands of Dodun and a nala.

6th March 1879.

No. 112*F.—Notification.*—The Lieutenant-Governor is pleased to declare that the undermentioned forests, which were settled and constituted reserved forests in 1875, and have been continuously managed as reserved forests, shall, under Section 34 of the Forest Act, 1878, be deemed to be reserved forests under that Act.

(*Not dealt with by Mr. Anderson.*)

No.	District.	Pargana.	Names of forests.	Boundaries.				Remarks.
				North.	*South.*	*East.*	*West.*	
1	Kangra.	Nurpur.	Tatal ...	Village lands of Bhadwar and Pundar.	Unreserved forest of Tatal and village lands of Khairian.	Unreserved forest of Tatal	Village lands of Khairian and Bhadwar.	1. The boundaries of all the Government reserved forests entered in this statement are indicated by katcha pillars and wooden posts, bearing serial numbers in vernacular, placed at main angles. The boundary lines have been cleared from post to post.
2			Medhar ..	Village lands of Khairian	Village lands of Minjgraon and Bholtakuran.	Village lands of Minjgraon	Village lands of Khairian and Bholtakuran.	2. These forest reserves are the sole property of Government, and are practically free of all rights of others. The arrangements effecting this were made by Mr. Duff, then Deputy Conservator of Forests of this Division, in 1872 and 1874, and were approved by the Deputy Commissioner and sanctioned by the Punjab Government in 1875.
3			Bholtakuran ...	Village lands of Bholtakuran	Village lands of Gainlagor ...	Ditto ...	Village lands of Gainlagor.	3. The term unreserved forest, as used in this statement, means land in which Government possesses the proprietary right in the trees and other forest produce subject to certain rights of user held by zamindars and others, some of whom also are entitled to and receive a share of the forest revenue.
4			Batuhi ...	Village lands of Batuhi...	Village lands of Amal ...	Village lands of Amal and Batuhi.	Village lands of Batuhi and Kotiwanda.	4. The term village land, as used in this statement, includes, in most cases, some unreserved forest.
5			Swarka ...	Unreserved forest of Swarka.	Ditto ...	Village lands of Amal ...	Unreserved forest of Swarka.	5. The only rights which now exist in any of the Government reserved forests entered in this statement are certain rights of way.
6			Mastghar ...	Unreserved forest of Mandol and village lands of Kotiwanda.	Village lands of Banoli and Kotiwanda ...	Village lands of Kotiwanda.	Village lands of Banoli and unreserved forest of Mandol.	
7			Jakar ...	Village lands of Bhadwar	Village lands of Bhadwar ...	Village lauds of Pundor	Village lands of Bhadwar	
8			Chitril ...	Village lands of Pundar and boundary of Chamba State.	Village lands of Pundor ...	Ditto ...	Village lands of Pundor.	
9			Kalak ...	Village lands of Jach and Bugnarah.	Village lands of Bugnarah ...	Village lands of Bugnarah	Village lands of Basa Haryalan and Jach.	
10			Talara and Gurial	Village lands of Gainlagor, Damoh and Banoli	Village lands of Larth, Bari, and Gurial, and the unreserved forest of Talara.	Village lands of Bhol ...	Unreserved forest of Talara.	
11			Khani ...	Village lands of Khani and Gilor.	Unreserved forest of Khani ...	Village lands of Thora Bhalu.	Unreserved forest and village lands of Khani.	
12			Dhamtal, Suth and Badroo.	Chaki stream ...	Village lands of Suth ...	Village lands of Badroa...	Village lands and unreserved forest of Dhamtal.	
13			Soldah ...	Village lands of Soldah...	Village lands of Soldah ...	Village lands and unreserved forest of Soldah.	Boundary of Chamba territory.	
14			Balah ...	Boundary of Chamba territory.	Village lands of Pundor ...	Village lands of Soldah and Chamba territory.	Village lands of Pundor.	
15			Dholba and Bhali	Village lands of Bhali ...	Unreserved forest of Dhol ...	Village lands of Bhali ...	Village lands of Bhali and Dhol.	
16			Bindrabun ...	Village lands of Bhadwar	Unreserved forest of Bindrabun, village lands of Bhadwar and Gainlagor and part of main road from Nurpur to Kangra.	Village lands of Bhadwar	Village lands of Gainlagor and Bhadwar.	

The 26th January 1897.

No. 57.—*Notification.*—His Honor the Lieutenant-Governor of the Punjab is pleased, in accordance with Section 28 of Act VII of 1878 (The Indian Forest Act) to declare the provisions of Chapter IV of that Act applicable to the forest and waste lands included in the following statement :—

Statement showing Areas demarcated in Kangra Proper.

1	2	3	4	5	6	7	8	9	10
District.	Tahsil.	Serial No.	Number of Forest by Tahsils.	Name of Forest.	Village.	Tika.	Area included from each Tika in ghumaos.	Total area of Forest in ghumaos.	REMARKS.
Kangra.	Kangra.	1	1	Ral tung	Harnera	Chakban	464		
					Do.	Chalahan	4	468	All the forests in this statement have been demarcated by pillars.
		2	2	Doda and Dware	Do.	Chakban	111		
					Do.	Khas Harnera	84	195	
		3	3	Sanan-tung and Ramgarh ...	Do.	Chakban	490		
					Baranj	Do.	647		
					Do.	Ramgarh			
					Nerti	Kuriala	467	1,604	
		4	4	Sulwana	Baranj	Chakban	739	739	
					Do.	Sulwana			

Statement showing Areas demarcated in Kangra Proper—continued.

1	2	3	4	5	6	7	8	9	10
District.	Tahsil.	Serial No.	Number of forest by Tahsils.	Name of Forest.	Village.	Tika.	Area included from each Tika in ghumaos	Total area of Forest in ghumaos.	Remarks.
continued.	*continued.*	5	5	Pundwar	Baranj	Chakban	351		
					Do.	Baranj			
					Lapiyana	Chakban	2,113		
					Do.	Uperla Pandu	4		
					Mani	Chakban	1,655	4,123	
		6	6	Choti Dhar	Choti Dhar	Do.	576	576	
		7	7	Nihar-Khola	Bari Dhar	Do.	461		
					Do.	Dhar Khas	135	596	
		8	8	Dhara-ki-bhet	Do.	Do.	61	61	
		9	9	Cheli Dhar and Ther	Do.	Chakban Dhar	583		
					Do.	Simal-lahr	60		
					Pargor	Chakban Ther	864		
					Do.	Nira	32	1,539	
		10	10	Jol and Kalru	Do.	Chakban Jol	587		
					Do.	Do. Kalru	503		
					Do.	Pargor Khas	76	1,166	

Kangra—	Kangra—	11	11	Uliani Nal	Do.	Chakban Kalru	375	375
		12	12	Lanj	Lanj	Chakban	3,691	3,691
		13	13	Galian	Galian	Do.	1,930	1,935
		14	14	Cheli Galian	Do.	Andretta	132	132
		15	15	Ranital	Kotahir	Ranital	39	
					Do.	Ajaur	50	
					Rajiana	Chakban	664	
					Jasai	Do.	1,157	
					Do.	Jagini	74	
					Do.	Nand	56	
					Pungwar	Chakban	523	
					Bari	Chak Gara	372	
					Do.	Kapar Nal	49	2,984
		16	16	Ghin	Do.	Chak Dragan	345	
					Balu Guloha	Chakban	632	
					Ghin	Do.	1,268	2,245
		17	17	Khart	Jandra	Chak Chidar	320	
					Khart	Chakban	269	
					Bhusal	Narialkar	65	654
		18	18	Erla	Erla	Chakban	204	
					Do.	Dheru	7	
					Do.	Hariat	14	225
		19	19	Gadrana Barialu	Do.	Gadrana	33	
					Do.	Barialu	46	79

Statement showing Areas demarcated in Kangra Proper—continued.

1	2	3	4	5	6	7	8	9	10
District.	Tahsil.	Serial No.	Number of Forest by Tahsils.	Name of Forest.	Village.	Tika.	Area included from each Tika in ghumaos.	Total area of Forest in ghumaos.	REMARKS.
		20	20	Palu	Danoa	Chak Palu	227	227	
		21	21	Bhojleta	Do.	Bhojleta	89	89	
		22	22	Kandi Dolru	Kandi	Chakban	302		
					Do.	Dolru	69		
					Do.	Sipiara	14		
					Kawa	Chandrer	27	412	
		23	23	Cheli Palra	Do.	Palra	68	68	
		24	24	Sadun	Sadun	Chakban	371		
					Do.	Chandrun	7		
					Do.	Kaji	18	396	
		25	25	Sarotri	Sarotri	Chakban	235	235	
		26	26	Chati-ka-tila	Do.	Sarotri Khas	75		
					Do.	Balun	31		
					Balol	Digar-lahr	63		
					Do.	Bulwana	48		
continued.	*continued.*				Suni	Tikri	91	308	

Kangra—	Kangra—	27	27	Paraul	Amtrar	Paraul	85	85
		28	28	Mansu	Amwari	Chakban	155	
					Masal	Do.	775	
					Do.	Tanda	12	942
		29	29	Pathiar	Pathiar	Gujrera	2	
					Do.	Malah	89	
					Do.	Jugleta	7	
					Do.	Chakban	553	651
					Dhalun	Chak Banain	230	
		30	30	Dhalun	Narwana	Jalo	113	
					Tangroti	Chakban	63	
					Burwala	Do.	30	
					Yol	Bandru	55	491
		31	31	Kuned	Kuned	Daded	90	90
		32	32	Giana	Chehol	Bari-da-khola	88	
						Chakban	158	
					Giana Kalan	Bara Khola	28	274
					Giana Khurd	Chak Ubarnal	70	
		33	33	Naina Devi	Chehol	Pohd	275	
					Dhalun	Chak Upter	73	
					Kuhala	Kaled Khas	202	
					Kaled	Pohd	115	
					Do.			
					Kohli	Chakban	100	835

Statement showing Areas demarcated in Kangra Proper—continued.

1	2	3	4	5	6	7	8	9	10
District.	Tahsil.	Serial No.	No. of Forest by Tahsils.	Name of Forest.	Village.	Tika.	Area included from each Tika in ghumaos.	Total area of Forest in ghumaos.	Remarks.
		34	34	Jalaru	Gurkari	Chakban	108		
					Kuhala...	Do.	283		
					Kachiar	Do.	132		
					Kohli	Do.	47	570	
		35	38	Daulatpur	Sukoht	Barialkar	134		
					Daulatpur	Palwan	550		
					Do.	Chakban	845		
					Do.	Mandal	52		
					Do.	Ba	248	1,829	
		36	36	Samirpur	Samirpur	Chakban	499		
					Naudrul	Do.	134		
					Rajal	Do.	422		
					Lanj	Kothru	83	1,138	
		37	37	Tiara	Samirpur	Chakban	92		
					Tiara	Do.	294		
					Budhiara	Do.	248		
continued.	continued.				Rajol	Do.	243	697	

Kangra—	Kangra—	38	38	Kulera or Lohank	Nerti	Chak Kulera	235	235
		39	39	Sadun	Do.	Do. Sadun	380	380
		40	40	Shahpur	Shahpur	Gandarap	42	
					Manjgraon	Dhukru	77	119
		41	41	Chatrer Mahar	Shahpur	Chatrer...	106	
					Do.	Mahar	100	206
		42	42	Pahid Cheli	Seun	Pahid	140	140
		43	43	Chatru	Do.	Chatru...	77	77
		44	44	Ban Boh	Boh	Chakban	5,000	
					Do.	Har	1,034	
					Do.	Sapiara	1,578	7,612
		45	45	Rirakmar	Drini	Rirakmar	80	
					Do.	Hathora	53	
					Do.	Baroti	113	246
		46	46	Sunkal Nal	Do.	Drini Khas	450	
					Do.	Buled	19	469
		47	47	Chakban Tal and Bainala ...	Do.	Chakban Tal	628	
					Do.	Kariri	353	
					Bainala	Basa	778	
					Do.	Bainala Khas	118	1,877
					Drini	Chakban Dhar	9,738	
		48	48	Drini Dhar	Do.	Ruled	469	10,207
		49	49	Chakban Duli	Do.	Chakban Duli	1,218	1,218

Statement showing Areas demarcated in Kangra Proper—continued.

1	2	3	4	5	6	7	8	9	10
District.	Tahsil.	Serial No.	No. of Forest by Tahsils.	Name of Forest.	Village.	Tika.	Area included from each Tika in ghumaos.	Total. area of Forest in ghumaos.	REMARKS.
		50	50	Boru-Sarna	Drini	Duli Khas	269		
					Rihlu	Boru-Sarna	759		
					Do.	Mano	732		
					Do.	Kohla	397		
					Kareri	Sel	235	2,392	
		51	51	Rihlu	Rihlu	Rihlu Khas	290	290	
		52	52	Taru	Do.	Taru	318		
					Chari	Uni	45	363	
		53	53	Chakban Chari	Do.	Chakban	815	815	
		54	54	Chamiara	Kareri	Chamiara	746	746	
		55	55	Palota Palun	Do.	Sel	128		
					Do.	Palota	172		
					Do.	Palun	63	383	
		56	56	Kutarna	Do.	Kutarna	402	402	
		57	57	Chakban Kareri	Do.	Chakban	13,562		
continued.	*concluded.*				Do.	Balre	565	14,127	

Kangra—	Kangra—	58	58	Naura-Langa	Kareri	Naura	130	
					Do.	Langa	815	445
		59	59	{ Chakban Dharmsala }	Dharmsala	Chakban	3,706	3,706
		60	60	Nadi	Do.	Nadi	363	
					Do.	Barnet	766	
					Do.	Batalla	217	1,346
		61	61	Kalphun	Do.	Nargota	141	141
		62	62	Si Nal	Do.	Do.	197	
					Do.	Pat	141	
					Sara	Bahl	44	
					Do.	Chakban	151	
					Shuko	Uprer	13	546
		63	63	Saded	Saded	Chakban	335	
					Giroh	Do.	360	695
		64	64	Mandli	Do.	Lanyani	148	
					Do.	Jikar	218	366
		65	65	Kaniyara	Kaniyara	Chakban	8,198	8,198
		66	66	Dhar Narwana	Narwana	Chakban Dhar	3,500	3,500
		67	67	Chandar Ban	Do.	Chak Chandar Ban	1,500	1,500
		68	68	Cheli Narwana	Do.	Karaina	222	222
	Palampur	69	1	Ghunetta	Ghunetta	Chahar-Khola	82	
					Do.	Ludrahn	244	
					Do.	Mahadeo	88	
					Do.	Bariankar	46	460

Statement showing Areas demarcated in Kangra Proper—continued.

1	2	3	4	5	6	7	8	9	10
District.	Tahsil.	Serial No.	No. of Forest by Tahsils.	Name of Forest.	Village.	Tika.	Area included from each Tika in ghumaos.	Total area of Forest in ghumaos.	Remarks.
		70	2	Bheru	Rajun	Charet Thakuran	100		
					Do.	Do. Gujaran	62	162	
		71	3	Dinju	Do.	Do. Jagian	52	52	
		72	4	Jaman Nal	Do.	Ditto	44		
					Do.	Kathin	172		
					Do.	Kurna	24		
					Do.	Chombu	53	293	
		73	5	Sakrotu	Do.	Makrer	125	125	
		74	6	Cheli Pinapri	Pinapri	Khas Pinapri	89		
					Do.	Kohli	17	106	
		75	7	Gagal	Do.	Chakban	173		
					Gagal	Do.	353	526	
		76	8	Cheli Bharath	Do.	Bharath	63		
					Do.	Thaler	18		
					Do.	Dalera	6	87	
continued.	continued.	77	9	Kangnu Nal and Magaran-da-Khola.	Do.	Do.	168	168	

Kangra—	Palampur—	78	10	Cheli Surali	Do.	Digahn	33	
					Do.	Gunjan	60	93
		79	11	Chunga Devi	Dira	Uperla Badrol	48	
					Do.	Bunla do.	90	
					Do.	Granu	15	
					Do.	Ban	262	415
		80	12	Andretta	Andretta	Chakban	63	
					Do.	Andretta Khas	12	
					Agojar	Agojar Khas	151	226
		81	13	Mohl Khad	Maniara	Chakban	343	
					Do.	Kothi	59	
					Do.	Bodar	38	
					Punar	Nang Nal	26	
					Do.	Tara	48	
					Do.	Kasba	71	
					Patti	Chak Lahd	88	
					Dahn	Lahd	13	686
		82	14	Bichwai	Bichwai	Chakban	230	230
		83	15	Paror	Paror	Paror	220	
					Drang	Drang Khas	75	
					Do.	Daurta	66	361

Statement showing Areas demarcated in Kangra Proper—continued.

1	2	3	4	5	6	7	8	9	10
District.	Tahsil.	Serial No.	No. of Forest by Tahsils.	Name of Forest.	Village.	Tika.	Area included from each Tika in ghumaos.	Total area of Forest in ghumaos.	REMARKS.
		84	16	Lala	Lala	Drot	73		
					Do.	Gisanpat	5		
					Do.	Gadiara	99		
					Do.	Bramteru...	6		
					Do.	Asanpat	333		
					Do.	Lambapat...	164		
					Gopalpur	Gujrera	108		
					Jhikli Dadh	Jhikli Dadh	130		
					Uperli Dadh	Uperli Dadh	114	1,032	
		85	17	Bujurgara	Mundi	Nagni	84		
					Do.	Khajuran...	40		
					Do.	Mundi Khas	98		
					Garh Jamula	Basti	27	249	
continued.	continued.	86	18	Karabu .	Do.	Garh Khas	151	151	

Kangra—	Palampur—	87	19	Kurang	Do.	Soran	217	
					Bodha	Gadiara	163	
					Diroh	Chak Damota	193	
					Do.	Maling Bunli	16	589
		88	20	Sakri	Sakri	Khas Sakri	119	119
		89	21	Sonpur	Baij Nath	Bagi Dhar	97	97
		90	22	Bagi Dhar	Do.	Do.	227	
					Do.	Ganketar	5	232
		91	23	Dhar Balak Rupi	Alimpur	Balak Rupi	305	
					Do.	Och Khurd	43	
					Do.	Och Kalan	6	
					Do.	Lahru	48	
					Do.	Sada	62	464
		92	24	Dukh	Alimpur	Chakban Dukh	296	296
		93	25	Dhar Chatotrian	Do.	Kalera Kalan	32	
					Do.	Dhar Chatotrian	146	178
		94	26	Chambi	Jaisinghpur	Chak Chambi	278	278
		95	27	Mando	Do.	Thathi	235	
					Do.	Chak Mando	112	
					Do.	Majoti	51	
					Do.	Utrappar	43	441
		96	28	Tambar	Do.	Tambar Khas	38	
					Do.	Karn Ghat	55	
					Do.	Utrappar	15	108
		97	29	Bir	Bir	Biling	4,299	
					Do.	Gunehr	132	

Statement showing Areas demarcated in Kangra Proper—continued.

1	2	3	4	5	6	7	8	9	10
District.	Tahsil.	Serial No.	No. of Forest by Tahsils.	Name of Forest.	Village.	Tika.	Area included from each Tika in ghumaos.	Total area of Forest in ghumaos.	REMARKS.
				Bir—*concluded*	Bir	Kotli	42		
					Do.	Bir Khas	211		
					Do.	Bari	8	4,692	
		98	30	Keori	Do.	Keori	273	273	
		99	31	Panjala	Sansal	Bagh	67		
					Do.	Panjala Uperla	116	183	
		100	32	Sansal	Do.	Barahn	84		
					Do.	Thathwal	5		
					Do.	Chaughan	119		
					Do.	Morer Kalan	42		
					Do.	Morer Khurd	39		
					Do.	Chakban	4,072	4,361	
		101	33	Kand Bari and Rajer	Kand Bari	Do.	3,276		
continued.	*concluded.*				Do.	Gaunt	18		
					Do.	Nenar	21		
					Rajer	Rajer	179	3,494	

Kangra—	Palampur—	102	34	Bhagpura	Chichiyan	Bhaghpura	1,099	
					Do.	Debinu	226	
					Do.	Rahk	94	1,419
		103	35	Ban Dehara Chichiyan ...	Do.	Ban-Dehara	144	144
		104	36	Soup Dhar and Pand Ban ...	Jiya	Chakban	10,644	10,644
	Dehra	105	1	Dhaur	Sihar-Bala	Ban Dhaur	449	449
	Hamirpur	106	1	Telokpur	Mewa	Chakban	496	496
		107	2	Badiana I or Kui-ki-dhar ...	Do.	Badiana	111	111
		108	3	Badiana II or Laban-gahra ...	Do.	Do.	61	61
		109	4	Badhar	Mahlta	Badhar	318	318
		110	5	Humal	Do.	Chak Humal	473	
		111	6	Dhars Jajar Jakh and Pukru ...	Lodar	Tika Saur	79	552
					Palu	Bairi	169	
					Do.	Jaman	28	
					Do.	Palu Khas	264	
					Do.	Patera	99	
					Do.	Ujain	27	
					Do.	Kaseri	123	
					Do.	Dodru	80	
					Do.	Jarnot	43	
					Do.	Budan	10	
					Do.	Jalalri	7	
					Do.	Bilkar Runian	37	
					Do.	Do. Kahnan	34	
					Do.	Hatera	186	

Statement showing Areas demarcated in Kangra Proper—continued.

1	2	3	4	5	6	7	8	9	10
Dristict.	Tahsil.	Serial No.	No. of Forest by Tahsils	Name of Forest.	Village.	Tika.	Area included from each Tika in ghumaos.	Total area of Forest in ghumaos.	REMARKS.
continued.	*continued.*			Dhars Jajar Jakh and Pukru—*concluded.*	Palu	Chek	56		
					Lodar	Churab	43		
					Do.	Mansui Hazaru	90		
					Do.	Do. Manjli	82		
					Do.	Do. Laturia	38		
					Do.	Dain	392		
					Do.	Pundar	84		
					Do.	Uled	18		
					Do.	Bahl Masanda	32		
					Do.	Ropri	102		
					Do.	Suphan	4		
					Do.	Lodar Khas	17		
					Daned	Diliao	48		
					Do.	Kathwin	154		
					Do.	Pharnol	163	2,430	
		112	7	Pundar Dain	Lodar	Dain	73		
					Do.	Pundar	37	110	

Kangra—	Hamirpur—	113	8	Samtana	Do.	Dain	110	
					Dhatwal	Janen	129	
					Do.	Dhangota	89	
					Do.	Samtana Kalan	1,449	1,777
		114	9	Dhangota	Do.	Dhangota	68	
					Do.	Bail	25	93
		115	10	Pairwin	Do.	Pairwin	77	
					Do.	Karol	26	103
		116	11	Sathwin	Do.	Sathwin	78	
					Do.	Khilawat...	57	
					Do.	Dhangota	98	233
		117	12	Khilawat	Do.	Kola	16	
					Do.	Bahl Brahminan	37	
					Do.	Khilawat	38	
					Do.	Bara	12	
					Do.	Baro	64	167
		118	13	Bara	Do.	Sathwin	83	
					Do.	Bara	6	89
		119	14	Reli	Do.	Ghori	183	
					Do.	Nihla Cheli	415	
					Do.	Batwan Nangalwan	62	
					Do.	Reli	298	
					Do.	Jajari	511	
					Do.	Karnera	183	1,604
		120	15	Kulhal	Do.	Kulhal	137	137

Statement showing Areas demarcated in Kangra Proper—continued.

1	2	3	4	5	6	7	8	9	10
District.	Tahsil.	Serial No.	No. of Forest by Tahsils.	Name of Forest.	Village.	Tika.	Area included from each Tika in ghumaos.	Total area of Forest in ghumaos.	REMARKS.
		121	16	Dhar Sidh	Dhatwal	Chakmo	1,165		
					Do.	Balh	231		
					Do.	Loharli	517		
					Do.	Pater	55		
					Do.	Nalwar	195	2,163	
		122	17	Samaila	Do.	Chakmo	128		
					Do.	Bahl Arjanu	81		
					Do.	Sukro	55		
					Do.	Samaila	61		
					Do.	Bahl Thakru	8	333	
		123	18	Biru	Do.	Do.	53		
					Do.	Pata Brahminan	55		
					Do.	Biru	59	167	
continued.	continued.	124	19	Kharal I	Do.	Samtana Khurd	104		
					Do.	Panthiani	173		

Kangra—	Hamirpur—				Do.	Dhangota	107	
					Do.	Paplol Brahminan	50	
					Do.	Paplol Hazru	87	
					Do.	Mathol	18	
					Do.	Kot	178	667
		125	20	Kharal II	Do.	Do.	224	
					Do.	Kara	44	
					Do.	Sawari	90	
					Do.	Bijuri	35	393
		126	21	Bijuri	Do.	Do.	100	100
		127	22	Ghutiana Batiana	Garli	Ghutiana	23	
					Do.	Batiana	45	
					Dhatwal	Bijuri	91	159
		128	23	Chalsa	Garli	Gangot	8	
					Do.	Gangot Kalan	82	
					Dhatwal	Ambota	38	
					Do.	Kotla	24	
					Do.	Chalsa	95	
					Do.	Chakrala	60	307
		129	24	Gangot	Do.	Chakmo	212	
					Do.	Dolchera...	41	
					Garli	Gangot Kalan	295	
					Do.	Rapar	24	572

Statement showing Areas demarcated in Kangra Proper—continued.

1	2	3	4	5	6	7	8	9	10
District.	Tahsil.	Serial No.	No. of Forest by Tahsils.	Name of Forest.	Village.	Tika.	Area included from each tika in ghumaos.	Total area of Forest in ghumaos.	Remarks.
		130	25	Khansara	Lodar	Khansara	80		
					Do.	Choa	149		
					Do.	Jandro	17		
					Dhatwal	Salahri	85	331	
		131	26	Salan	Lodar	Ropri	20		
					Do.	Amboa	129		
					Do.	Thamani	199		
					Palu	Salan	68		
					Do.	Guloh	67		
					Do.	Panjarar	24		
					Dhatwal	Mundwin	13		
					Do.	Dugwar	4	524	
		132	27	Dugwar	Do.	Do.	60	60	
		133	28	Desin	Garli	Desin	152		
					Do.	Kharota	42		
					Bani	Dabriana	3		
continued.	continued.				Do.	Ganoh Brahminan	118	315	

Kangra—	Hamirpur—	134	29	Dabriana	Bani	Dabriana	55	
					Do.	Lohar-ra	15	
					Garli	Kheri	64	134
		135	30	Gata-Panga	Do.	Gata-Panga	23	23
		136	31	Kajian	Do.	Kajian	16	
					Do.	Kuria Kalan	38	
					Do.	Chukhniar	34	88
		137	32	Cheli Gumri	Bani	Balia Kalan	98	98
		138	33	Cheli Harman	Do.	Harman	16	16
		139	34	Thana	Do.	Thana	32	
					Do.	Neri	41	
					Do.	Lohar-ra	17	90
		140	35	Jathunda	Do.	Jathunda	110	
					Do.	Makteri	98	
					Do.	Kanha	4	212
		141	36	Kangar	Kangar	Chakban	553	553
		142	37	Bakro	Ninawan	Har	175	
					Do.	Bakro	64	
					Do.	Kalaun	139	
					Do.	Akrana Brahminan	20	
					Palu	Kangalta	31	
					Do.	Silauni	11	
					Do.	Awa Bunla	16	456
		143	38	Awa, Mihana and Palatu	Ninawan	Biar Kalan	146	

Statement showing Areas demarcated in Kangra Proper—continued.

1	2	3	4	5	6	7	8	9	10
District.	Tahsil.	Serial No.	No. of forest by tahsils.	Name of Forest.	Village.	Tika.	Area included from each Tika in ghumaos.	Total area of forest in ghumaos.	Remarks.
				Awa, Mihana and Palatu ...	Ninawan	Mihana	105		
					Do.	Kohetta Rajputan	22		
					Do.	Kohetta Brahminan	25		
					Do.	Jandrana	56		
					Do.	Kumarli	5		
					Gilor	Haretta	232		
					Palu	Awa Uperla	175		
					Do.	Awa Bunla	127	893	
		144	39	Gilor Khas	Gilor	Gilor Khas	15	15	
		145	40	Dharra	Do.	Mair	21		
					Do.	Diana	66		
					Do.	Naraina	1		
					Do.	Badaran	20		
					Do.	Gandoli	3		
					Do.	Ropri	37	148	
continued.	continued.	146	41	Chamrani	Do.	Chamrani	252	252	

Kangra—	Hamirpur—	147	42	Paniali	Gilor	Paniali	203	203
		148	43	Naural	Do.	Gilor Khas	80	
					Do.	Haretta	245	325
		149	44	Guloh	Palu	Guloh	52	
					Do.	Salan	36	88
		150	45	Karer	Do.	Karer	220	
					Do.	Makar	28	
					Do.	Dhikawa	19	
					Do.	Gansui	38	305
		151	46	Mundiani	Daned	Rakla	15	
					Do.	Daned Khas	13	
					Do.	Ser	37	
					Palu	Makar	107	
					Do.	Musan	17	
					Do.	Danota	27	
					Do.	Palu Khas	179	395
		152	47	Durkhar	Daned	Changar	18	
					Do.	Gilot Kalat	104	
					Do.	Bari	38	
					Do.	Nailwan	155	315
		153	48	Bijuri	Bijuri	Chareri	22	
					Do.	Nijar	81	
					Do.	Bijuri Khas	91	
					Do.	Dulera	28	
					Do.	Pater Khurd	20	

Statement showing Areas demarcated in Kangra Proper—continued.

1	2	3	4	5	6	7	8	9	10
District.	Tahsil.	Serial No.	No. of forest by tahsils.	Name of Forest.	Village.	Tika.	Area included from each tika in ghumaos.	Total area of forest in ghumaos.	REMARKS.
				Bijuri	Bijuri	Chamar-ri	47		
					Do.	Shastar	229		
					Jangal	Kuswar	227		
					Do.	Masiana	101		
					Do.	Badla	41	887	
		154	49	Dunga-Dikwali	Bijuri	Daruhi	34		
					Do.	Kohla Fakiran	3		
					Do.	Kudi	31		
					Do.	Pater Kalan	17		
					Do.	Gaura Khurd	14		
					Do.	Matani	37		
					Chaniara	Chamer Hindwan	18		
					Do.	Chamer Musalmanan	34	188	
		155	50	Chaniara	Bijuri	Anu Kalan	21		
					Do.	Gaura Khurd	4		
continued.	*continued.*				Chaniara	Chamer Musalmanan	16		

Kangra—	Hamirpur—				Chaniara	Chanwal	87	
					Do.	Nariana Raugrian	16	144
		156	51	Dugnera	Do.	Dughera	67	
					Do.	Kararat	31	98
		157	52	Swaren	Kotera	Danattar	2	
					Do.	Matwan-Chambialan	14	
					Mati	Paniala	42	
					Do.	Gaiiana Brahminan	24	
					Do.	Krast	7	90
		158	53	Samloi	Samloi Majog	Jateri	6	
					Do.	Pantheri	25	
					Do.	Darbeli	72	
					Do.	Chanwal	17	
					Do.	Chabot	4	
					Do.	Chigar	62	
					Do.	Budiana	15	201
		159	54	Dhar Guga	Do.	Banal	31	
					Chabutra	Pastal	44	
					Do.	Graura	4	
					Do.	Budgar	85	164
		160	55	Dhar Chabutra	Do.	Chakban	909	
					Majog-Khurd	Gul	12	
					Do.	Rupa	63	
					Do.	Majog Khas	82	1,066

Statement showing Areas demarcated in Kangra Proper—continued.

1	2	3	4	5	6	7	8	9	10
District.	Tahsil.	Serial No.	No. of forest by tahsils.	Name of Forest.	Village.	Tika.	Area included from each tika in ghumaos.	Total area of forest in ghumaos.	REMARKS.
	Hamirpur—*concluded.*	161	56	Cheli Matro	Chabutra	Budgar-Matro	131	131	
		162	57	Karot	Karot	Chakban	714	714	
		163	1 (*a*)	Sidhpur	Ghar	Chak Sidhpur	1,393		
					Palaura	Chak Kot	350	1,743	
		164	1 (*b*)	Devi-da-ban	Do.	Chak Devi-da-ban	475	475	
		165	2	Kaldun	Amil	Kaldun	287		
					Do.	Harian	324	611	
		166	3	Harsar Nanan	Harsar	Chak Harsar	1,086		
					Do.	Manara	326		
					Chilwara	Badela	381		
					Nanan	Nanan Khas	265		
					Do.	Narn	150		
					Do.	Har	287		
					Do.	Thapal	388	2,883	
continued.	pur.	167	4	Ban Sanan	Fatehpur	Chak Sanan	332	332	
		168	5	Fatehpur	Do.	Chak Fatehpur	767	767	

Kangra—	Nur	169	6	Pauri-Man	Do.	Sunara	42	
					Do.	Kadlo	302	
					Do.	Chak Pauri-Man	323	567
		170	7	Mengal Pir	Hatli	Hatli Khas	332	332
		171	8	Maholi	Maholi	Maholi	646	646
		172	9	Kothial	Samlet	Kothi	249	
					Do.	Pati	172	
					Do.	Majoli	11	
					Do.	Dukh	109	541
		173	10	Barswal	Baheri	Gangwal	106	
					Madoli	Tappa	81	187
		174	11	Thoria and Barwar	Baheri	Sahaura	512	
					Do.	Kangeri	173	685
		175	12	Kyari	Chattar	Pandora	37	
					Do.	Mungrihal	181	
					Larhun	Batoli	124	342
		176	13	Garoli Chalaun	Chattar	Garoli	120	120
		177	14	Karahu	Do.	Chattar Khas	83	83
		178	15	Kangri and Be	Do.	Chattar Jhikla	97	
					Do.	Bamoli	228	
					Sakri	Sakri	35	360
		179	16	Gantal and Sananu	Bari	Uster	67	
					Batrahan	Sananu	95	162
		180	17	Tung and Bari-di-Sar	Baheri	Hara	40	
					Anoh	Dudwar	225	265

Statement showing Areas demarcated in Kangra Proper—concluded.

1	2	3	4	5	6	7	8	9	10
District.	Tahsil.	Serial No.	No. of forest by tahsils.	Name of Forest.	Village.	Tika.	Area included from each tika in ghumaos.	Total area of forest in ghumaos.	REMARKS.
		181	18	Salarkar	Anoh	Dhado	199	199	
		182	19	Agra-da-Nal	Palakh	Palakh	111	111	
		183	20	Indpur	Indpur	Indpur	459		
					Dhantol	Dhantol	185		
					Goran	Samal	561		
					Madoli	Sahaura	339	1,544	
		184	21	Taluan Sar and Kurian ...	Dharwal	Dharwal Khas	260	260	
		185	22	Sandru	Gangatha	Gangatha	361		
concluded.	concluded.				Chiror	Chiror	103	464	

Kangra—	Nurpur—	186	23	Bagnal	Hatara	Hatara Khas	258	258
		187	24	Samun	Lodwan	Samun	323	323
		188	25	Malot and Karari	Malot	Chakban	778	
					Lodwan	Balir	237	1,015
		189	26	Duliana	Thabkaur	Thabkaur	269	
					Lodwan	Balir	148	417
		190	27	Sugar Nal and Laran	Baranda	Baranda	217	
					Gandwal	Gandwal	561	778
		191	28	Thora	Thora Balun	Chakban	415	415
		192	29	Ladori	Ladori	Ladori	147	147
		193	30	Paniaru	Dani	Basa Dabrialan	187	187
		194	31	Manua-ka-Dhar	Dani	Manua	844	
						Gansari	1,025	1,869

The 26th January 1897.

No. 58.—*Notification.*—In accordance with the provisions of Section 28 of Act VII of 1878, Indian Forest Act, the Hon'ble the Lieutenant-Governor of the Punjab is pleased to declare the provisions of Chapter IV of that Act applicable to all forest and waste land in the Kangra, Palampur, Dehra, Nurpur and Hamirpur Tahsils of the Kangra District, upon which the trees have been declared in the Revenue Settlement Records to belong to the government except the forest and waste lands included in the schedule annexed to this notification.

SCHEDULE.

1. Forest and waste lands declared Protected Forest by Notification No. 57, dated 26th January 1897.

2. Land described in the Revenue Records as "abadi."

3. Forest and waste lands included in the jagirs of the Rajas of Goler, Siba, Nadaun and Kutlehr or under the management of these Rajas.

4. The Kharetars or hay-fields assessed to land revenue in the revised settlement of 1866-69 in the six villages of the Palampur Tahsil mentioned in the margin.

(1). Kalet.
(2). Saloh.
(3). Arla.
(4). Bangiar.
(5). Dehni.
(6). Raipur.

5. The forest and waste lands (including the Reserved Forests) in the villages shown in the following statement :—

No.	Tahsil.	Name of village.
1	Palampur	Bandla.
2	Do.	Kandi.
3	Do.	Kasmal.
4	Do.	Bagotla.
5	Do	Lanod.
6	Do.	Dewal.
7	Do.	Paprola.
8	Do.	Bhattu.
9	Nurpur	Bhol Thakuran.
10	Do.	Khairian.
11	Do.	Bhadwar.
12	Do.	Kothi-Vandan
13	Do.	Pundar.
14	Do.	Manjgraon.
15	Do.	Bhali.
16	Do.	Sirt.

No.	Tahsil.	Name of village.
17	Nurpur	Suryal.
18	Do.	Larath.
19	Do.	Soldha.
20	Do.	Dolba.
21	Do.	Tilara.
22	Do.	Khani.
23	Do.	Dhamtal.
24	Do.	Bhadroa.
25	Do.	Bhugnara.
26	Do.	Bari.
27	Do.	Basa Harialan.
28	Do.	Gahin-lagor.
29	Do.	Banoli.
30	Dehra	Habrol.
31	Do.	Khandwar.
32	Do.	Tiri.
33	Do.	Majin.
34	Do.	Guthialta.
35	Do.	Khariana.
36	Do.	Gumar.
37	Do.	Gohan.
38	Do.	Drang.
39	Do.	Amb.
40	Do.	Paglo.
41	Do.	Guhala.
42	Do.	Gagrui.
43	Do.	Paisa.
44	Do.	Titahn Khurd.
45	Do.	Titahn Kalan.
46	Do.	Baungta.
47	Do.	Kohli.
48	Do.	Khairian.
49	Do.	Tripal.
50	Do.	Dhangar.
51	Do.	Bilaspur.
52	Do.	Larhol.
53	Do.	Nagrota.
54	Do.	Jarot.
55	Do.	Junat.
56	Do.	Anoh.

No.	Tahsil.	Name of village.
57	Dehra	Katra.
58	Do.	Barla.
59	Do.	Bulwal.
60	Do.	Chaplah.
61	Do.	Chanaur.
62	Do.	Tiramal.
63	Do.	Dodra.
64	Do.	Bakarar.
65	Do.	Bihan.
66	Do.	Garli.
67	Do.	Kuloha.

The 26th January 1897.

No. 59.—*Notification.*—In accordance with the provisions of Section 29 (*a*) of Act VII of 1878, Indian Forest Act, the Hon'ble the Lieutenant-Governor of the Punjab is pleased to declare the following trees to be reserved from the date of this Notification in the forests declared protected by Notifications Nos. 57-8, dated 26th January 1897:—

1. Chil.
2. Harar.
3. Dhao or chal.
4. Kakaran.
5. Box.
6. Walnut.
7. Chestnut.
8. Elm.
9. Khair.
10. Tali or shisham.
11. Oak.
12. Kinu.
13. Tun.
14. Sal.
15. Bamboo.
16. Kalam.
17. Kendu.
18. Rajain.
19. Bahera.
20. Mawa.
21. Keor.
22. Barna.
23. Sanan.
24. Kamil.
25. Sarin.
26. Jaman.
27. Simul.
28. Bil.
29. Kembal.
30. Khilawa.
31. Arjan.
32. Ber.
33. Assan.
34. Amla.
35. Lasora.
36. Pataian.
37. Dhaman.
38. Pariara.
39. Ohi.
40. Phula.
41. Kao.
42. Kikar.
43. Karmarn.
44. Kathaman.
45. Kachnar.
46. Maple.
47. Spruce.
48. Silver fir.
49. Mulberry.
50. Rhododendron.
51. Kirk.
52. Duri.
53. Jamu.
54. Haleo.
55. Guj.
56. Bado.
57. Puna.
58. Badarin.
59. Burj.
60. Kurumb.
61. Dodan.
62. Deodar.

The 26th January 1897.

No. 60.—*Notification.*—His Honor the Lieutenant-Governor of the Punjab is pleased, in accordance with Section 29 (*b*) of Act VII of 1878 (The Indian Forest Act), to declare the areas contained in the following tables to be closed against the rights of private persons for a period of 20 years from the date of this Notification, or for such shorter period as may be found sufficient: and, in accordance with Section 29 (*c*) of the said Act, he is further pleased to prohibit the collection or removal of any forest produce from any of these areas during the time that they are so closed, except with the special permission in writing of the Forest Officer :—

1	2	3	4	5	6	7	8
District.	Tahsil.	No. of Trihai.	Name of Forest.	Village.	Tika.	Area closed in ghumaos.	Remarks.
Kangra.	Kangra.	1	Sanan-tung and Ramgarh	Harnera	Chakban	117	All the areas in this statement have been demarcated by pillars.
		2	Ditto	Baranj	Ramgarh	157	
		3	Ditto	Nerti	Kuriala	467	
		4	Sulwana	Baranj	Chakban Sulwana	185	
		5	Pandwar...	Lapiyana	Chakban	516	
		6	Ditto	Mani	Do.	901	
		7	Choti Dhar	Choti Dhar	Do.	79	
		8	Nihar-Kohla	Bari Dhar	Dhar Khas	135	
		9	Dhara-ki-bhet	Do.	Do.	20	
		10	Cheli Dhar and Ther	Pargor	Chak Ther	188	
		11	Jol and Kalru	Do.	Chak Kalru	337	
		12	Lanj	Lanj	Chakban	781	
		13	Galian	Galian	Do.	247	
		14	Ranital	Kotahir	Ranital	39	

1	2	3	4	5	6	7	8
District.	Tahsil.	No. of Trihai.	Name of Forest.	Village.	Tika.	Area closed in ghumaos.	REMARKS.
continued.	*continued.*	15	Ranital	Rajiana	Chakban	167	
		16	Do.	Jasai	Ditto	196	
		17	Do.	Pungwar...	Ditto	91	
		18	Do.	Bari	Chak Gara	35	
		19	Ghin	Do.	Chak Dragan	104	
		20	Do.	Balu Guloha	Chakban	38	
		21	Do.	Ghin	Ditto	96	
		22	Khart	Jandra	Chak Chidar	75	
		23	Do.	Khart	Chakban	57	
		24	Do.	Bhusal	Narialkar	17	
		25	Erla	Erla	Chakban	63	
		26	Gadrana-Barialu	Do	Barialu	29	
		27	Palu	Danoa	Chak Palu	34	
		28	Bandi Dolru	Kandi	Chakban	242	
		29	Do.	Do.	Dolru	35	
		30	Do.	Kawa	Chandrer	27	
		31	Sadun	Sadun	Chakban	78	
		32	Sarotri	Sarotri	Do.	84	

Kangra—	Kangra—	33	Chati-ka-tila	Sarotri	Balun	22
		34	Do.	Suni	Tikri	9
		35	Mansu	Ambwari	Chakban	118
		36	Do.	Masal	Do.	262
		37	Do.	Do.	Tanda	12
		38	Pathiar	Pathiar	Chakban	52
		39	Dhalun	Dhalun	Chak Banain	84
		40	Do.	Narwana	Jalo	98
		41	Do.	Burwala	Chakban	30
		42	Do.	Jol	Banuru	50
		43	Kuned	Kuned	Daded	37
		44	Giana	Chehal	Bari-da-Khola	20
		45	Do.	Giana Kalan	Chakban	21
		46	Do.	Giana Khurd	Bara Khola	28
		47	Naina Devi	Dhalun	Pohd	169
		48	Do.	Kuhala	Chak Uprer	43
		49	Do.	Kaled	Kaled Khas	58
		50	Do.	Do.	Pohd	51
		51	Jalaru	Gurkari	Chakban	62
		52	Do.	Kuhala	Do.	29
		53	Do.	Kachiar	Do.	68
		54	Do.	Kohli	Do.	47
		55	Daulatpur	Sukoht	Barialkar	15
		56	Do.	Daulatpur	Palwan	97
		57	Do.	Ditto	Chakban	125

1	2	3	4	5	6	7	8
District.	Tahsil.	No. of Trihai.	Name of Forest.	Village.	Tika.	Area closed in ghumaos.	REMARKS.
		58	Samirpur	Samirpur	Chakban	137	
		59	Do.	Nandrul	Ditto	54	
		60	Do.	Rajil	Ditto	154	
		61	Do.	Lanj	Kothru	83	
		62	Tiara	Samirpur	Chakban	40	
		63	Do.	Tiara	Do.	55	
		64	Do.	Budihara	Do.	156	
		65	Do.	Rajol	Do.	148	
		66	Sadun	Nerti	Chak Sadun	57	
		67	Pahid Cheli	Seun	Pahid	20	
		68	Ban Boh	Boh	Sakiara	749	
		69	Rirak Mar	Drini	Rirak Mar	22	
		70	Do.	Do.	Baroti	15	
		71	Sunkal Nal	Do.	Drini Khas	65	
		72	Do.	Do.	Buled	19	
		73	Chakban Tal and Bainala	Drini	Chak Tal	192	
		74	Ditto	Bainala	Basa	127	
continued.	*continued.*	75	Ditto	Do.	Bainala Khas	91	

Kangra—	Kangra—	76	Drini Dhar	Drini	Chakban Dhar	1,738	
		77	Ditto	Do.	Ruled	231	
		78	Chakban Duli	Do.	Chakban Duli	321	
		79	Boru-Sarna	Do.	Duli Khas	8	
		80	Ditto	Rihlu	Boru Sarna	330	
		81	Ditto	Do.	Kohla	115	
		82	Ditto	Kareri	Sel	75	
		83	Rihlu	Rihlu	Rihlu Khas	190	
		84	Taru	Do.	Taru	255	
		85	Chakban Chari	Chari	Chakban	197	
		86	Chamiara	Kareri	Chamiara	99	
		87	Palota Palun	Do.	Palota	70	
		88	Ditto	Do.	Palun	20	
		89	Kutarna	Do.	Kutarna	48	
		90	Chakban Kareri	Do.	Chakban	3,562	
		91	Ditto	Do.	Balre	104	
		92	Si Nal	Sara	Bahl	14	
		93	Do.	Do.	Chakban	49	
		94	Saded	Saded	Do.	180	
		95	Do.	Giroh	Do.	213	
		96	Kaniyara...	Kaniyara	Do.	2,198	
		97	Cheli Narwana	Narwana	Kar-raina	85	
		98	...	Galian	Thala	111	The areas Nos. 98 to 155 (both inclusive) are not included in any demarcated forest.
		99	...	Kotahir	Ajaur	36	
		100	...	Erla	Baniarkar	58	

1	2	3	4	5	6	7	8
District.	Tahsil.	No. of Trihai.	Name of Forest.	Village.	Tika.	Area closed in ghumaos.	REMARKS.
		101	......	Danoa	Bhojleta	8	
		102	......	Do.	Kamlota	73	
		103	......	Do.	Bar	11	
		104	......	Kandi	Bhorla	10	
		105	......	Do.	Samiara	17	
		106	......	Do.	Garhlahr	12	
		107	......	Kawa	Badi-da-lahr	19	
		108	......	Do.	Bhai	43	
		109	......	Do.	Than	12	
		110	......	Do.	Chatrer	31	
		111	......	Do.	Kuned	47	
		112	......	Sadun	Banger	17	
		113	......	Balol	Bunla Sakrer	25	
		114	......	Do.	Uperla do.	33	
		115	......	Do.	Pundar	4	
		116	......	Suni	Munda	4	
		117	......	Do.	Patari	13	
continued.	continued.	118	......	Do.	Chakban	50	

Kangra—	Kangra—	119	......	Do.	Tikri	40
		120	......	Luna	Har	14
		121	......	Do.	Har-ra	12
		122	......	Do.	Mangler	53
		123	......	Jalot	Dalakar	4
		124	......	Do.	Simal-Jahr	27
		125	......	Do.	Har-ri charetar	54
		126	......	Thana	Gobarnand	28
		127	......	Do.	Lahr	21
		128	......	Chandrot	Raner	43
		129	......	Jhikli Kothi	Chakban	129
		130	......	Uperli Kothi	Uperli Kothi	49
		131	......	Mundla	Mundla	16
		132	......	Momta	Momta	124
		133	......	Chehol	Ubar Nal	26
		134	......	Kuhala	Khui	16
		135	......	Kohli	Uprer	51
		136	......	Sukoht	Bhati	17
		137	......	Jalari	Jater	17
		138	......	Do.	Tirkhankar	26
		139	......	Takipur	Chatre	11
		140	......	Do.	Ghat	9
		141	......	Rajiana	Thanpuri	44
		142	......	Do.	Khas Rajiana	41
		143	......	Do.	Naura	37

1	2	3	4	5	6	7	8
District.	Tahsil.	No. of Trihai.	Name of Forest.	Village.	Tika.	Area closed in ghumaos.	Remarks.
	Kangra—concluded.	144	......	Baldar	Chakban	54	
		145	......	Seund	Do.	31	
		146	......	Ramer	Do.	159	
		147	......	Boh	Lam	132	
		148	......	Drini	Ruled	15	
		149	......	Do.	Diba	83	
		150	......	Do.	Gadar-ra	62	
		151	......	Do.	Salli	20	
		152	......	Bainala	Chauri	82	
		153	......	Sulol	Chakban	168	
		154	......	Sidh Bari	Do.	3	
		155	......	Dharmsala	Nadi	111	
continued.	pur.	1	Ghunetta	Ghunetta	Char-kohla	31	All the areas in this statement have been demarcated by pillars.
		2	Ditto	Do.	Ludrahin	82	
		3	Ditto	Do.	Mahadeo	19	
		4	Ditto	Do.	Bariankar	46	

Kangra—	Palam—	5	Bheru	Rajun	Charet Thakuran	78
		6	Do.	Do.	Charet Gujaran	44
		7	Dinju	Do.	Charet Jogian	18
		8	Jaman Nal	Do.	Kathin	93
		9	Do.	Do.	Chombu	53
		10	Sakrotu	Do.	Makrer	90
		11	Gagal	Pinapri	Chakban	173
		12	Do.	Gagal	Do.	153
		13	Chunga Devi	Dira	Uperla Badrol	9
		14	Do.	Do.	Bunla Badrol	75
		15	Do.	Do.	Granu	15
		16	Do.	Do.	Ban	90
		17	Andretta	Andretta	Chakban	16
		18	Do.	Agojar	Andretta Khas	9
		19	Do.	Do.	Agojar Khas	127
		20	Mohl Khad	Maniara	Chakban	168
		21	Do.	Punar	Nang Nal	26
		22	Do.	Do.	Kasba	49
		23	Do.	Patti	Chak Lahd	67
		24	Do.	Dahn	Lahd	13
		25	Bichwai	Bichwai	Chakban	23
		26	Paror	Paror	Paror	88
		27	Do.	Drang	Drang Khas	66
		28	Do.	Do.	Daurta	13
		29	Lala	Lala	Drot	41

1	2	3	4	5	6	7	8
District.	Tahsil.	No. of Trihai.	Name of Forest.	Village.	Tika.	Area closed in ghumaos.	Remarks.
		30	Lala	Lala	Gadiara	42	
		31	Do.	Ditto	Asanpat	107	
		32	Do.	Gopalpur	Gujrera	27	
		33	Do.	Jhikli Dadh	Jhikli Dadh	43	
		34	Do.	Uperli Dadh	Uperli Dadh	74	
		35	Bujurgara	Mundi	Nagni	38	
		36	Ditto	Ditto	Khajuran	25	
		37	Ditto	Ditto	Mandi Khas	98	
		38	Karahu	Garh Jamula	Garh Khas	55	
		39	Kurang	Ditto	Soran	78	
		40	Ditto	Bodha	Gadiara	69	
		41	Sakri	Sakri	Khas Sakri	109	
		42	Sonpur	Baijnath	Bagi Dhar	73	
		43	Bagi Dhar	Ditto	Ditto	204	
		44	Dhar Balak Rupi	Alimpur	Balak Rupi	118	
		45	Ditto	Ditto	Och Kalan	6	
		46	Ditto	Ditto	Lahru	48	
continued.	*continued.*	47	Dukh	Ditto	Chakban	40	

Kangra—	Palampur—	48	Chambi	Jaisinghpur	Chakban Chambi	...	
		49	Mando	Do.	Thathi	52	
		50	Do.	Do.	Chak Mando	47	
		51	Do.	Do.	Majoti	5	
		52	Tambar	Do.	Tambar Khas	12	
		53	Do.	Do.	Utrappar	6	
		54	Bir	Bir	Biling	313	
		55	Sansal	Sansal	Morer Khurd	39	
		56	Do.	Do.	Chakban	222	
		57	Kand Bari and Rajer	Kand Bari	Do.	433	
		58	Bhagpura	Chichian	Bhagpura	220	
		59	Soup Dhar and Pand Ban	Jiya	Chakban	1,644	
		60	......	Rajun	Bal	67	The areas Nos. 60 to 106 (both inclusive) are not included in any demarcated forest.
		61	......	Dira	Dira Khas	4	
		62	......	Do.	Ocha	8	
		63	......	Do.	Kula	6	
		64	......	Balola	Batiara	28	
		65	......	Dahn	Nihar-Kohla	19	
		66	......	Tikar	Badera	36	
		67	......	Do.	Gadiarpat	15	
		68	......	Do.	Nandi	5	
		69	......	Do.	Pat-gwali	77	
		70	......	Do.	Rangru	77	
		71	......	Do.	Gagan	70	
		72	......	Tandol	Dugi	14	

1	2	3	4	5	6	7	8
District.	Tahsil.	No. of Trihai.	Name of Forest.	Village.	Tika.	Area closed in ghumaos.	Remarks.
		73	......	Purba	Dramman	46	
		74	......	Dager	Saher	59	
		75	......	Jauna	Uperla Manwan	28	
		76	......	Do.	Chori-da-lahr	5	
		77	......	Do.	Kyara	6	
		78	......	Bichwai	Gurer	22	
		79	......	Do.	Gurela Parla	36	
		80	......	Mundi	Repota	14	
		81	......	Garh Jamula	Samba	12	
		82	......	Do.	Thathi	9	
		83	......	Do.	Paled	21	
		84	......	Do.	Rora	64	
		85	......	Diroh	Duki	4	
		86	......	Garh-Jamula	Nora	1	
		87	......	Do.	Sa	9	
		88	......	Do.	Hola	49	
		89	......	Sakri	Gadiara	6	
continued.	*concluded.*	90	......	Baij Nath	Behot	37	

Kangra—	Palampur—	91	......	Ditto	Ban Mortan	97	
		92	......	Ditto	Duk	39	
		93	......	Ditto	Karial Bunli	12	
		94	......	Ditto	Chaniara	7	
		95	......	Ditto	Rajil	5	
		96	......	Ditto	Chamlera	22	
		97	......	Sansai	Chamb	11	
		98	......	Do.	Dalger	4	
		99	......	Do.	Majhoti	54	
		100	......	Alampur	Dhaniara	30	
		101	......	Jaisingpur	Molag	18	
		102	......	Do.	Maila	40	
		103	......	Thural	Balo	48	
		104	......	Do	Loharpanga	17	
		105	......	Do.	Machlair	6	
		106	......	Do.	Saidu	11	
	Hamirpur.	1	Telokpur	Mewa	Chakban	175	All the areas in this statement have been demarcated by pillars.
		2	Badiana, I	Do.	Badiana	38	
		3	Ditto, II	Do.	Do.	21	
		4	Humal	Mahlta	Chakban	187	
		5	Dhars Jajar Jakh and Pukru	Palu	Bairi	36	
		6	Ditto ditto	Do.	Jaman	28	
		7	Ditto ditto	Do.	Palu Khas	247	
		8	Ditto ditto	Do.	Patera	62	

1	2	3	4	5		7	8
District.	Tahsil.	No. of Tribai.	Name of Forest.	Village.	Tika.	Area closed in ghumaos.	REMARKS.
		9	Dhars Jajar Jakh and Pukru	Palu	Ujan	27	
		10	Ditto ditto	Do	Bilkar Runian	3	
		11	Ditto ditfo	Do.	Bilkar Kahnan	2	
		12	Ditto ditto	Do.	Hatera	15	
		13	Ditto ditto	Lodar	Churb	1	
		14	Ditto ditto	Do.	Mansui Hazaru	4	
		15	Ditto ditto	Do.	Mansui Manjli	3	
		16	Ditto ditto	Do.	Mansui Laturia	22	
		17	Ditto ditto	Do.	Dain	88	
		18	Ditto ditto	Do.	Pundar	58	
		19	Ditto ditto	Daned	Di'iao	13	
		20	Ditto ditto	Do.	Kathwin	102	
		21	Ditto ditto	Do.	Pharnol	36	
		22	Samtana	Dhatwal	Samtana Kalan	316	
		23	Dhar Sidh	Do.	Chakmo	213	
		24	Samaila	Do.	Ditto	2	
		25	Gangot	Do.	Ditto	188	
continued.	continued.	26	Do.	Garli	Gangot Kalan	71	

Kangra—	Hamirpur—	27	Desin	Do.	Desin	26
		28	Do.	Bani	Ganoh Brahminan	4
		29	Dabriana	Do.	Dabriana	12
		30	Thana	Do.	Thana	1
		31	Do.	Do.	Neri	2
		32	Kangar	Kangar	Chakban	60
		33	Bakro	Ninawan	Har	3
		34	Do.	Do.	Bakro	13
		35	Do.	Do.	Kalaun	16
		36	Awa Mihana and Palalu	Do.	Biar Kalan	48
		37	Ditto ditto	Do.	Mihana	13
		38	Ditto ditto	Gilor	Haretta	50
		39	Gilor Khas	Do.	Gilor Khas	2
		40	Dhar-ra	Do.	Mair	11
		41	Do,	Do.	Badaran	6
		42	Do.	Do.	Ropri	37
		43	Chamrani	Do.	Chamrani	68
		44	Paniali	Do.	Paniali	38
		45	Naural	Do	Haretta	76
		46	Durkhar	Daned	Gilot Kalan	104
		47	Do.	Do.	Nailwin	16
		48	Bijuri	Bijuri	Chareri	13
		49	Do.	Do.	Nijar	50
		50	Do.	Do.	Bijuri Khas	82
		51	Do.	Do.	Shastar	79

District.	Tahsil.	No. of Trihai.	Name of Forest	Village.	Tika.	Area closed in ghumaos.	Remarks.
1	2	3	4	5	6	7	8
Kangra—contuded.	*Hamirpur—concluded.*	52	Bijuri	Jangal	Masiana	101	
		53	Do.	Do.	Badla	41	
		54	Dagnera	Chaniara	Dagnera	1	
		55	Do.	Do.	Kararat	2	
		56	Dhar Chabutra	Chabutra	Chakban	199	
		57	Ditto	Majog Khurd	Gul	12	
		58	Ditto	Ditto	Ropa	63	
		59	Karot	Karot	Chakban	274	
		60	......	Bani	Kanoh	28	This area is not included in any demarcated forest.

Mr. Anderson's Draft Notification under Section 29 (*c*), *Forest Act.*

THE Lieutenant-Governor of the Punjab is pleased, in accordance with Section 29 (*c*) of Act VII of the Indian Forest Act, to prohibit from this date the breaking up or clearing for cultivation, for building, or any other purpose any land declared demarcated protected forest by Notifications ;—

No.	dated	(Kangra Tahsil)
No.	dated	(Nurpur ")
No.	dated	(Dehra ")
No.	dated	(Hamirpur ")
No.	dated	(Kutlehr Taluka)
No.	dated	(Siba Jagir)
No.	dated	(Goler ")

Mr. Anderson's draft of rules for the Demarcated and Undemarcated Protected Forests in Kangra, Nurpur, Dehra and Hamirpur Tahsils (exclusive of Taluka Kutlehr) to be issued under Section 31.

1. Only such rights may be exercised as have been recorded under Section 28 of the Indian Forest Act, and these rights may be exercised only in accordance with the recorded conditions.

2. Forest produce acquired in the exercise of admitted rights may not be sold, bartered, or in any way alienated, nor may it be applied to any but the purpose for which it was given.

3. (*a*) No person other than a right-holder may cut wood or grass, whether dry or green, for his own use, and (*b*) no one may cut for sale wood or grass, whether dry or green, except with the permission of the Deputy Commissioner or of any one whom he may appoint in that behalf. The Deputy Commissioner may charge for such permission whatever fees he, from time to time, may consider proper.

4. Except as provided for in the forest record of rights, no person other than a right-holder may pasture cattle, sheep or goats without the permission of the Deputy Commissioner.

5. Except for burning the dead, no green brushwood, or green trees, or dry standing trees of a hath or more in girth at the ground may be cut without permission. The Deputy Commissioner shall direct whose permission shall be required.

6. Chil trees may not be lopped without permission, and the Deputy Commissioner shall direct whose permission shall be required.

The following trees may not be lopped for any purpose whatsoever :—

Deodar.	Box.	Sal.
Rai.	Tun.	Kikar.
Tos.	Duri.	Olive.
Walnut.	Tali.	Rhododendron.

All other trees of not less than a hath in girth at the ground and all brushwood may be lopped without permission by right-holders, provided that the branches cut do not exceed a hath in length and a finger in thickness, and that the trees are not lopped to more than one-half of their height.

7. The bark of green trees may not be cut or removed or any purpose whatsoever.

8. No land may be cleared for cultivation, for building, or for any other purpose without the permission of the Deputy Commissioner.

9. No nets, traps, or snares may be set except where the right was recorded at the land revenue settlement.

10. No one except a right-holder may burn charcoal or lime in the forests without the permission of the Deputy Commissioner, who may charge whatever fees he may, from time to time, consider proper.

The above drafts were incorporated in the following rules sanctioned by the Government of India in letter No. 582-*F.*, *dated* 23*rd June* 1897.

The 14*th August* 1897.

No. 416.—*Notification.*—The following rules apply to the areas declared protected forests under Chapter IV of Act VII of 1878, Indian Forest Act, by Notification No. 57, dated 26th January 1897 (demarcated protected forests), and by Notification No. 58, dated 26th January 1897 (undemarcated protected forests), and are issued under Section 31 of that Act with the sanction of the Governor-General in Council.

2. Except where the contrary is stated, the rules apply to the protected forests of both classes.

3. In these rules, unless there is something repugnant in the subject or context—

" Record-of-rights " means the record prepared in accordance with Section 28 of the Indian Forest Act.

" Bartandar " means a person entitled to a right over land or trees in a protected forest which is or are the property of another.

" Khewatdar " means a person entitled to a right by virtue of his sole or joint property in the subject of the right.

" Right-holder " (hakkdar) includes both bartandar and khewatdar.

" Tree," " timber, " " cattle " have the same meaning as in the Indian Forest Act, 1878.

" Land assessed to revenue " includes land which, though liable to assessment was not charged with revenue in the internal distribution of the last assessment, but which has since that assessment been brought under cultivation or enclosed with the permission of competent authority, wherever permission was necessary.

4. The grazing of cattle in demarcated protected forests is prohibited except by right-holders in the exercise of a right admitted in the record-of-rights, provided that nothing in this rule shall prevent right-holders from grazing any number of cattle (not being sheep and goats), belonging to themselves, and any number of sheep and goats, belonging to themselves, not more than 30 per cent. in excess of the number they possessed at the last assessment of the revenue.

5. (1) Except as provided in Rule 29, no person other than the proprietors of the soil of the undemarcated protected forests and the proprietors of cultivated land in the five tahsils of Kangra Proper, assessed to revenue, and their agricultural tenants, shall graze cattle in the undemarcated protected forests.

(2). No such proprietors or tenants shall graze in any undemarcated forest any cattle except cattle kept by them for their own domestic or agricultural (not including pastoral) purposes, provided that nothing in this rule shall prevent such proprietors and tenants from grazing any number of cattle (not being sheep and goats) belonging to themselves, and any number of sheep and goats, belonging to themselves, not more than 30 per cent. in excess of the number they possessed at the last assessment of the revenue.

6. (1) Nothing in the last two preceding rules shall prevent Gaddi shepherds from grazing sheep and goats in the runs recorded in their names in the record-of-rights on payment of the dues fixed from time to time by the Government.

(2) Except under the orders of the Deputy Commissioner in writing, Gaddi shepherds in going to and from their runs shall not halt their flocks for longer than one night at any single halting place in any forest in which they have not a right of grazing, and halting places shall be at least five miles apart, provided that such shepherds may halt two nights at one place if there has been heavy rain or if they have given salt to their flocks.

7. Nothing in Rules 4 and 5 shall prevent Gujars from grazing in the sawanas in which under the record-of-rights they have a right of grazing.

8. Khewatdars and bartandars shall not sell nor lease their right of grazing in the protected forests nor give permission to others to graze, provided that the owners of the soil of the protected forests in the Nurpur Tahsil and in Mauza Boh of the Kangra Tahsil may allow the cattle of Ban Gujars and of others who are not right-holders to graze within the areas of which they are owners and may take grazing dues from them, and notwithstanding anything in Rules 4 and 5 such Ban Gujars and others may graze in such areas.

9. Except as provided in Rules 26, 27, 28, the lopping, barking, cutting and removal of timber and trees in demarcated protected forests are prohibited except by bartandars in the exercise of a recorded right and subject to the provisions of these rules.

10. (1) Except as provided in Rules 26, 27, 28, 29, no person other than the proprietors of cultivated land in the five tahsils of Kangra Proper, assessed to revenue, and their agricultural tenants shall lop, bark, cut or remove timber and trees in any undemarcated forest.

(2) No such proprietor or tenant shall lop, bark, cut or remove timber and trees in an undemarcated forest situated in a village other than that in which his land is situated except in the exercise of a right admitted to him in the detailed record for each village.

(3). No such proprietor or tenant shall lop, bark, cut or remove any timber or trees in an undemarcated forest except for his own domestic or agricultural (not including pastoral) purposes, nor shall he do so for any such purpose unless it falls under one of the headings in paragraph 6 of the record-of-rights and general conditions of the protected forests of Kangra Proper.

11. Except as provided in Rule 24, no timber or trees may be lopped, barked, cut or removed without a permit granted in accordance with these rules.

12. For the purposes of these rules, trees are divided into two classes :—

1st Class.

1. Chil.
2. Harar.
3. Dhao or Chal.
4. Kakaran.
5. Box.
6. Walnut.
7. Chestnut.
8. Elm.
9. Khair.
10. Tali or shisham.
11. Oak.
12. Kinu.
13. Tun.
14. Sal.
15. Bamboo.
16. Kalam.
17. Kendu.
18. Rajain.
19. Bahera.
20. Mahwa.
21. Koer.
22. Barna.
23. Sanan.
24. Kamil.
25. Sarin.
26. Jaman.
27. Simul.
28. Bil.
29. Kembal.
30. Khilawa.
31. Arjan.
32. Ber.
33. Assan.
34. Amla.
35. Lasora.
36. Patajan.
37. Dhaman.
38. Pariara.
39. Ohi.
40. Phula.
41. Kao.
42. Kikar.
43. Karmaru.
44. Kathaman.
45. Kachnar.
46. Maple.
47. Spruce.
48. Silver Fir.
49. Mulberry.
50. Rhododendron.
51. Kirk.
52. Duri.
53. Jamu.
54. Haleo.
55. Guj.
56. Bado.
57. Puna.
58. Badarin.
59. Burj.
60. Kurumb.
61. Doden.
62. Deodar.

2nd Class.

All other trees including brushwood.

13. Trees of the 2nd class may be cut by bartandars for the purposes mentioned in the next following rule under a written permit given by the lambardar of the village, or other person specially authorized in this behalf.

14. (1) The lambardar of a village, or where there are several lambardars, then the lambardar specially authorized in this behalf, may give bartandars permits to cut in the protected forests of his village trees of the 2nd class required by them for the following purposes to the extent of their actual requirements :—

(*a*) for making fences.
(*b*) for fuel for marriage feasts,
(*c*) for fuel for funeral ceremonies, such as mukan, suhog, chaubarak,
(*d*) for making agricultural and domestic implements,
(*e*) for making charcoal for the manufacture and repair of agricultural implements.
(*f*) for the supply of fuel at encamping-grounds, but not otherwise for sale or barter,
(*g*) for making machans (mann, than) for watching crops.

(2). Lambardars authorized to give permits under this rule may not give permits for trees even of the 2nd class if the trees are required for the construction or repair of dwelling houses, cattle-sheds or of any other building whatsoever.

15. (1) If trees of the 2nd class are not available in any village, the lambardar may with the special permission of the Deputy Commissioner, give permits for cutting crooked and unsound trees of the 1st class, except—

Deodar,
Rai,
Tos,
Walnut,
Box,
Elm,
Tun,
Duri,
Tali,
Sal,
Kikar,
Kirk,
Gun,
Mandar,
Olive,
Kakaran,
Harar,
Mahwa,
Bahera,

and also for lopping oak and chil trees to one-half of their height for the purposes detailed in the last preceding rule.

(2) The Forest Officer will cause trees that may be cut and lopped under this rule to be marked in suitable numbers and in reasonably convenient localities, and, when there are trees so marked, the permits shall apply only to such trees.

16. If the lambardar is unfit to be entrusted with the authority described in Rules 14, 15 and 30, or if he has abused the authority conferred on him, the Deputy Commissioner may appoint any other person whom he may consider qualified, and such other person shall then exercise the authority conferred by these rules on lambardars.

17. Trees of whatever class required by bartandars for building purposes may not be cut except under the permit of the Forest Officer.

18. (1) Trees for building purposes will not ordinarily be granted oftener than once in five years to any bartandar, but on special application to the Deputy Commissioner and for special cause shown (*e.g.*, the burning of the applicant's house or other misfortune), the Deputy Commissioner may grant trees at a shorter interval than five years to meet the actual requirements of a bartandar.

(2) Bartandars shall not be refused trees required for the repairs of one building merely because they have received trees within five years for the construction or repair of another building.

19. When trees have been given for building purposes the buildings shall be constructed within the limits of the village where the cultivated land on account of which the trees are given is situated, unless the contrary has been specially allowed.

20. No tree standing within 10 yards of any public road may be cut except with the permission of the Deputy Commissioner.

21. In cases where revenue has been assessed on the right to timber under the land revenue assessment, no permit shall be granted until such revenue has been paid.

22. Trees granted under permits may not be cut or removed until marked by a forest official duly authorized in this behalf.

23. All permits granted to bartandars to cut trees (including brushwood) shall remain in force only for three months from the date of the permit or of the trees being marked under Rule 22, whichever is later.

If the trees are not removed from the forest within that period, the permit shall lapse and the trees may not be cut or removed unless the permit is renewed by the authority that first granted it.

24. No permit is necessary for doing any of the acts next hereinafter mentioned, but nothing in this rule shall confer upon any person any right not recorded in the record-of-rights as enjoyed by him.

The acts referred to are as follows :—

(1) The cutting and removal of—

(*a*) all fallen timber.

(*b*) stumps,

(*c*) dry standing trees of less than a hath in girth at breast height,

(*d*) branches of dry standing trees of a hath in girth at breast height or more provided that the trees themselves are not cut.

Nothing in this clause shall be deemed to allow the cutting and removal without permit of any timber or dry standing trees from any forest that has been burned.

(2) The lopping for fodder or for bedding and manure of all trees not mentioned in Rule 25, provided that the trees are not less than a hath in girth at breast height and that the branches cut do not exceed a finger in thickness and that the trees are not lopped to more than one-half of their height.

(3) The removal of the leaves—

(*a*) of the amil and the dhao (or chal) for tanning purposes, and

(*b*) of the taur and other creepers for domestic purposes.

(4) The cutting and removal for burning the dead to an amount sufficient for that purpose—

(*a*) of any trees of the 2nd class,

(*b*) where trees of the 2nd class are not easily procurable, then any trees of the 1st class, except—

Deodar.	Kikar.
Rai.	Kirk.
Tos.	Gun (khanor).
Walnut.	Mandar.
Box.	Olive.
Elm.	Kakaran.
Tun.	Harar.
Duri.	Mahwa.
Táli.	Bahera.
Sal.	

Notice of all such cuttings shall be given to the rakha or other Forest official within ten days.

25. (1). The following trees may not be lopped for any purpose whatsoever:—

Deodar.	Tali.
Rai.	Sal.
Tos.	Kíkar.
Walnut.	Olive.
Box.	Rhododendron.
Tun.	Kakaran.
Duri.	

(2) Chil may be lopped only with the lambardar's permit given under Rule 15.

26. The proprietors of the soil of the protected forests may, as such, remove from the areas of which they are proprietors dry fallen wood fit only for fuel.

27 Ban Gujars and others allowed to graze their cattle under Rule 8 and Gujars entitled to graze their cattle under Rule 7 may, within the areas over which they have a right of grazing, take dry fallen wood fit only for fuel and may lop trees for fodder, subject to the restrictions imposed in Rule 24 (2).

28. Gaddi shepherds who are entitled to graze their flocks under Rule 6 may, within the areas over which they have a right of grazing, take dry fallen wood fit only for fuel, and may lop trees for fodder, but only for kids and subject to the restrictions imposed by Rule 24 (2).

29. Non-agricultural residents, and travellers and traders passing through the Kangra Valley, may, if the right-holders do not object, graze their own cattle, collect dry fallen wood fit only for fuel, and cut grass in the undemarcated forests of the village in which they reside or through which they are passing, but these licenses may be exercised only for their own domestic requirements and in the case of travellers and traders while *bona fide* travelling in the Kangra Valley, and in case of abuse may be withdrawn by Government.

30. The removal of bark from green trees is prohibited, but the bark of the taur and of other creepers may be removed by bartandars under the permit of the lambardar.

31. The girdling and the tapping of trees and the removal of wood for torches from standing chil trees are forbidden.

32. (1) No land in the demarcated forests may be broken up or cleared for cultivation or for any other purpose.

(2) No land in the undemarcated forests may be broken up or cleared for cultivation or for any other purpose without the permit of the Deputy Commissioner.

33. No timber or trees acquired under these rules or by bartandars in the exercise of their rights may be sold, bartered, or in any way alienated, nor may such timber or trees be applied to any but the purpose for which it or they were acquired, provided that nothing in this rule shall prevent the sale of fruit, flowers, medicinal and edible roots and leaves, and the leaves of creepers nor the sale of wood for fuel at encamping-grounds, nor the sale or other alienation of timber and trees acquired under Rule 34.

34. The felling and removal of timber and trees belonging to Government, for purposes of trade (including the supply of the Tea industry), and the granting of licenses to fell and remove such trees and timber for these purposes, and the payments to be made in respect thereof shall be at the discretion of the Forest Officer acting under the control of the Deputy Commissioner.

The Forest Officer shall not fell or remove such trees or timber, nor grant licenses for their removal to an extent that will interfere with the due supply of the requirements of the bartandars.

35. Trees shall be marked in a forest in which the applicant for a permit has a right to trees, provided that, when the Deputy Commissioner has decided on the report of the Forest Officer that in the then state of that forest the cutting of trees there would tend to its destruction, the trees granted shall in that case be marked in another forest which shall be as conveniently situated for the purposes of the applicant as the demands of forest conservancy and the requirements of right-holders will admit.

36. If the exercise of the rights as admitted in any forest would endanger the existence of the forest, the Forest Officer, with the sanction of the Deputy Commissioner, may define by numbers or otherwise the aggregate extent to which the rights can safely be exercised over the forest and the extent to which each right-holder is in accordance with paragraph 15 of the record-of-rights entitled to exercise his rights.

Mr. Anderson's Draft Notification under Section 75.

Whereas at the revised Revenue Settlement of the Kangra District the trees on certain assessed forest and waste land were declared to be the property of Government, and whereas the trees standing on all unassessed forest and waste land in the following villages, *viz* :—

Tahsil	Village.	Tahsil.	Village.
Kangra.	Bandla. Kandi. Kusmal. Bagotla. Lanod. Dewal. Paprola. Bhattu.	Dehra.	Habrol. Khandwar. Tiri. Gumar. Bohan. Darang. Paisa. Titahn Khurd. Do. Kalan. Majin. Guthialta. Khariana. Gagrui. Bilaspur. Chaplah. Jarot. Dodra Katra. Garli. Amb. Paglo. Guhala. Tripal. Bulwal. Nagrota. Tiramal. Anoh. Bihan. Kuloha. Baungta. Kohli. Khairian. Dhangar. Larhol. Chanaur. Junat. Bakarar. Barla.
Nurpur.	Bhol Thakuran. Khairian. Bhadwar. Kothiwandan. Pundar. Manjgiraun. Bhali. Sirt. Guryal. Larath. Sohlda. Dolba. Tilara. Khani. Dhamtal. Bhadroa. Banoli. Bhugnara. Bari. Basa Harialan. Gahin Lagor.		

also belong to Government. The following rules are issued for their preservation and reproduction :—

1. Forest produce acquired in the exercise of admitted rights of use may not be sold, bartered, or in any way alienated, nor may it be applied to any but the purpose for which it was given.

2 (*a*) No one other than a right-holder may cut wood, whether dry or green, for his own use; and (*b*) no one may cut wood for sale, whether it be dry or green, except with the permission of the Deputy Commissioner or of any one whom he may appoint in that behalf. The Deputy Commissioner may charge for such permission whatever fees he, from time to time, may consider proper.

3. Except as provided in the Revenue Settlement Record, no person other than a right-holder may pasture cattle, sheep or goats without the permission of the Deputy Commissioner.

4. Except for burning the dead, no green brushwood, or green trees, or dry standing trees of a hath or more in girth at the ground may be cut without permission. The Deputy Commissioner shall direct whose permission shall be required.

5. Chil trees may not be lopped without permission, and the Deputy Commissioner shall direct whose permission shall be required.

The following trees may not be lopped for any purpose whatsoever:—

Deodar.	Box	Sal.
Rai.	Tun	Kikar.
Tos.	Duri.	Olive.
Walnut.	Tali.	Rhododendron.

All other trees of not less than a hath in girth at the ground and all brushwood may be lopped without permission by right-holders, provided that the branches cut do not exceed a hath in length and a finger in thickness, and that the trees are not lopped to more than one half of their height.

6. The bark of green trees may not be cut or removed for any purpose whatsoever.

7. No land may be cleared for cultivation, for building, or for any other purpose without the permission of the Deputy Commissioner.

8. No one except a right-holder may burn charcoal or lime in the forests without the permission of the Deputy Commissioner, who may charge whatever fees he may, from time to time consider proper.

The above draft as amended by Government issued as follows :—

The 26th January 1897.

No. 61.—*Notification.*—The Hon'ble the Lieutenant-Governor of the Punjab is pleased in accordance with the provisions of Section 75 (c) of Act VII of 1878 (Indian Forest Act), to make the following rules for the preservation, reproduction and disposal of the trees standing on the lands shown in the Schedule annexed to these rules which, though grown on lands, belonging to private persons, are declared in the Land Revenue Records of the Kangra District to belong to Government, subject to the rights of agriculturists as recorded in these records :—

1. In these rules, unless there is something repugnant in the subject or context—" tree," " timber," have the same meaning as in the Indian Forest Act.

2. The rules apply only to the trees and to the timber of the trees that have grown spontaneously or have been planted by Government on the lands shown in the Schedule annexed to the rules and which have been declared in the Land Revenue Records to be the property of Government.

3. The lopping, barking, cutting and removal of timber and trees are prohibited except in accordance with the provisions of these rules.

4. Except as provided in Rules 21, 22, 23, 24, no person other than the proprietors of cultivated land in the five tahsils of Kangra Proper assessed to revenue and their agricultural tenants shall lop, bark, cut or remove timber and trees.

5. No such proprietors or tenants shall lop, bark, cut or remove any timber or trees except for their own domestic and agricultural (not including pastoral) purposes.

6. Except as provided in Rule 19, no timber or trees may be lopped, barked, cut or removed without a permit granted in accordance with these rules.

7. For the purposes of these rules, trees are divided into two classes :—

1st Class.

1. Chil.
2. Harar.
3. Dhao or Chal.
4. Kakaran.
5. Box.
6. Walnut.
7. Chestnut.
8. Elm.
9. Khair.
10. Tali or Shisham.
11. Oak.
12. Kinu.
13. Tun.
14. Sal.
15. Bamboo.
16. Kalam.
17. Kendu.
18. Rajain.
19. Bahera.
20. Mawa.
21. Keor.
22. Barna.
23. Sanan.
24. Kamil.
25. Sarin.
26. Jaman.
27. Simul.
28. Bil.
29. Kembal.
30. Khilawa.
31. Arjan.
32. Ber.
33. Assan.
34. Amla.
35. Lasora.
36. Patajan.
37. Dhaman.
38. Pariara.
39. Ohi.
40. Phula.
41. Kao.
42. Kikar.
43. Karmaru.
44. Kathaman.
45. Kachnar.
46. Maple.
47. Spruce.
48. Silver Fir.
49. Mulberry.
50. Rhododendron.
51. Kirk.
52. Duri.
53. Jamu.
54. Haleo.
55. Guj.
56. Bado.
57. Puna.
58. Badarin.
59. Burj.
60. Kurumb
61. Doden.
62. Deodar.

2ND CLASS.

All other trees including brushwood.

8. Trees of the 2nd class may be cut for the purposes mentioned in the next following rule under a written permit given by the lambardar of the village or other person specially authorized in this behalf.

9. (1) The lambardar of a village, or where there are several lambardars, then the lambardar specially authorized in this behalf, may give permits to cut trees of the 2nd class required for the following purposes to the extent of the actual requirements of the applicants:—

(*a*) for making fences,

(*b*) for fuel for marriage feasts,

(*c*) for fuel for funeral ceremonies, such as mukan, suhog, chaubarak,

(*d*) for making agricultural and domestic implements,

(*e*) for making charcoal for the manufacture and repair of agricultural implements,

(*f*) for the supply of fuel at encamping-grounds, but not otherwise for sale or barter,

(*g*) for making machans (mana, than) for watching crops.

(2) Lambardars authorized to give permits under this rule may not give permits for trees even of the 2nd class, if the trees are required for the construction or repair of dwelling houses, cattle-sheds or of any other building whatsoever.

10. (1) If trees of the 2nd class are not available in any village, the lambardar may, with the special permission of the Deputy Commissioner, give permits for cutting crooked and unsound trees of the 1st class, except—

Deodar,	Tun,	Gun,
Rai,	Duri,	Mandar,
Tos,	Tali,	Olive,
Walnut,	Sal,	Kakaran,
Box,	Kikar,	Harar,
Elm,	Kirk,	Mahwa,
		Bahera,

and also for lopping oak and chil trees to one half of their height, for the purposes detailed in the last preceding rule.

(2) The Forest Officer will cause trees that may be cut and lopped under this rule to be marked in suitable numbers and in reasonably convenient localities, and, when there are trees so marked, the permits shall apply only to such trees.

11. If the lambardar is unfit to be entrusted with the authority described in Rules 8, 9 and 25, or if he has abused the authority conferred on him, the Deputy Commissioner may appoint any other person whom he may consider qualified, and such person shall then exercise the authority conferred by these rules on lambardars.

12. Trees of whatever class required for building purposes may not be cu t except under the permit of the Forest Officer.

13. (1) Trees for building purposes will ordinarily not be granted oftener than once in five years, but on special application to the Deputy Commissioner and for special cause shown (*e.g.*, the burning of the applicant's house or other misfortune) the Deputy Commissioner may grant trees at a shorter interval than five years to meet the actual requirements of the applicants.

(2) Trees required for the repairs of one building shall not be refused merely because trees have been given within five years to the same applicant for the construction or repair of another building.

14. When trees have been given for building purposes, the building shall be constructed within the limits of the village where the cultivated land on account of which the trees are given is situated, unless the contrary has been specially allowed.

15. No tree standing within ten yards of any public road may be cut except with the permission of the Deputy Commissioner.

16. In cases where revenue has been assessed on the right to timber under the land revenue assessment, no permit shall be granted until such revenue has been paid.

17. Trees granted under permits may not be cut or removed until marked by a Forest official duly authorized in this behalf.

18. All permits granted for cutting trees (including brushwood) shall remain in force only for three months from the date of the permits.

If the trees are not removed within that period the permit shall lapse, and the trees may not be cut or removed unless the permit is renewed by the authority that first granted it.

19. No permit is necessary for doing any of the acts next hereinafter mentioned, but nothing in this rule shall confer upon any person any right to which he is not otherwise entitled.

The acts referred to are as follows:—

(1) The cutting and removal of—

(*a*) all fallen timber,

(*b*) stumps,

(*c*) dry standing trees of less than a hath in girth at the ground,

(*d*) branches of dry standing trees of a hath in girth at the ground or more,

Provided that the trees themsel[illegible]

(2) The lopping for fodder or for bedding and manure of all trees not mentioned in Rule 20, provided that the trees are not less than a hath in girth at the ground and that the branches cut do not exceed a finger in thickness, and that the trees are not lopped to more than one-half of their height.

(3) The removal of the leaves—

(a) of the amil and the dhau (or chal) for tanning purposes, and

(b) of the taur and other creepers for domestic purposes.

(4) The cutting and removal for burning the dead to an amount sufficient for that purpose—

(a) of any trees of the 2nd class, and

(b) where trees of the 2nd class are not easily procurable, then any trees of the 1st class, except—

Deodar.	Tun.	Gun (Khanor).
Rai.	Duri.	Mandar.
Tos.	Tali.	Olive.
Walnut.	Sal.	Kakaran.
Box.	Kikar.	Harar.
Elm.	Kirk.	Mahwa.
		Bahera.

Notice of all such cuttings shall be given to the rakha or other Forest official within ten days.

20. (1) The following trees may not be lopped for any purpose whatsoever :—

Deodar.	Tun.	Olive.
Rai.	Duri.	Rhododendron.
Tos.	Tali.	Kakaran.
Walnut.	Kikar.	
Box.	Sal.	

(2) Chil may be lopped only with the lambardar's permit given under Rule 10 (1).

21. The proprietors of the soil of the lands detailed in the Schedule annexed to these rules may, as such, remove from the areas of which they are proprietors dry fallen wood fit only for fuel.

22. Ban-Gujars, Sawanadar Gujars and other persons entitled under the Land Revenue Records to graze their cattle in the lands detailed in the said Schedule may, within the areas over which they have a right of grazing, take dry fallen wood fit only for fuel, and may lop trees for fodder subject to the restrictions imposed in Rule 19 (2).

23. Gaddi shepherds who are entitled under the Land Revenue Records to graze their flocks in the lands detailed in the said Schedule may, within the areas over which they have a right of grazing, take dry fallen wood fit only for fuel and may lop trees for fodder, but only for kids and subject to the restrictions imposed in Rule 19 (2).

24. Non-agricultural residents of the villages mentioned in the Schedule to these rules and travellers and traders passing through them may collect dry fallen wood fit only for fuel from the lands described in the said Schedule,—but this license may be exercised only for their own domestic requirements and in the case of travellers and traders while *bona fide* travelling through these villages, and in case of abuse may be withdrawn by Government.

25. The removal of bark from green trees is prohibited, but the bark of the taur and of other creepers may be removed under the permit of the lambardar.

26. The girdling and the tapping of trees and the removal of wood for torches from standing chil trees are prohibited.

27. No timber or trees acquired under these rules may be sold, bartered, or in any way, alienated, nor may such timber or trees be applied to any but the purpose for which they were acquired, provided that nothing in this rule shall prevent the sale of fruits, flowers, medicinal and edible roots and leaves and the leaves of creepers, nor the sale of wood for fuel at encamping grounds, nor the sale or other alienation of timber and trees acquired under Rule 29.

28. It is prohibited to kindle a fire without taking all reasonable precautions to prevent its spreading to any of the 1st class trees, and also to leave burning any fire in the vicinity of any such trees.

29. The felling and removal of timber and trees belonging to Government for the purposes of trade, including the supply of the Tea industry, and the granting of licenses to fell and remove timber and trees for these purposes and the payments to be made in respect thereof shall be at the discretion of the Forest Officer acting under the control of the Deputy Commissioner.

The Forest Officer shall not fell or remove such trees or timber, nor grant licenses for their removal to an extent that will interfere with the due supply of the requirements of persons entitled to any right over the trees and timber.

Schedule of Lands in the Kangra District referred to in the Preamble to the Rules.

1 All waste and forest land assessed to land revenue at the revised Settlement of 1866-69 situated in the following 6 villages of the Palampur Tahsil, *viz.*—

(1) Kalet.	(4) Bangiar.
(2) Saloh.	(5) Dehni.
(3) Arla.	(6) Raipur.

2. All unassessed waste and forest land as hereafter defined situated in the following villages, *viz.*—

No.	Tahsil.	Name of Village.
1	Palampur	Bandla.
2	Ditto	Kandi.
3	Ditto	Kasmal.
4	Ditto	Bagotla.
5	Ditto	Lanod.
6	Ditto	Dewal.
7	Ditto	Paprola.
8	Ditto	Bhattu.
9	Nurpur	Bhol Thakuran.
10	Ditto	Khairian.
11	Ditto	Bhadwar.
12	Ditto	Kothi-vandan.
13	Ditto	Pundar.
14	Ditto	Manjgraon.
15	Ditto	Bhali.
16	Ditto	Sirt.
17	Ditto	Suryal.
18	Ditto	Larath.
19	Ditto	Soldha.
20	Ditto	Dolba.
21	Ditto	Tilara.
22	Ditto	Khani.
23	Ditto	Dhamtal.
24	Ditto	Bhadroa.
25	Ditto	Bhugnara.
26	Ditto	Bari.
27	Ditto	Basa Harialan.
28	Ditto	Gahin lagor.
29	Ditto	Banoli.
30	Dehra	Habrol.
31	Ditto	Khandwar.
32	Ditto	Tiri.
33	Ditto	Majin.
34	Ditto	Guthialta.
35	Ditto	Khariana.
36	Ditto	Gumar.
37	Ditto	Bohan.
38	Ditto	Drang.
39	Ditto	Amb.
40	Ditto	Paglo.
41	Ditto	Guhala.
42	Ditto	Gagrui.
43	Ditto	Paisa.
44	Ditto	Titahn Khurd.
45	Ditto	Titahn Kalan.
46	Ditto	Boungta.
47	Ditto	Kohli.
48	Ditto	Khairian.
49	Ditto	Tripal.
50	Ditto	Dhangar.
51	Ditto	Bilaspur.
52	Ditto	Larhol.
53	Ditto	Nagrota.
54	Ditto	Jarot.
55	Ditto	Junat.
56	Ditto	Anoh.
57	Ditto	Katra.
58	Ditto	Barla.
59	Dttio	Bulwal.
60	Ditto	Chaplah.
61	Ditto	Chanaur.
62	Ditto	Tiramal.
63	Ditto	Dodra.
64	Ditto	Bakarar.
65	Ditto	Bihan.
66	Ditto	Garli.
67	Ditto	Kuloha.

Explanation.

"Unassessed waste and forest land" means waste and forest land upon which no revenue was charged in the internal distribution (bachh) of the assessment made at the revised Settlement of 1866—69, but it does not include—

(*a*) Land described in the revenue records as "abadi."

(*b*) Land entered in the revenue records as held in fee-simple and not liable to assessment.

(*c*) Waste and forest land which was not charged with revenue in the bachh of 1866—69 but which has since that Settlement been brought under cultivation or enclosed with the permission of competent authority.

(*d*) Waste land recorded in the revenue records as the ban-mafi of the proprietary bodies of the 8 villages in the Palampur Tahsil.

(*c*) The reserved forests situated in the villages of the Nurpur and Dehra Tahsils.

RECORD-OF-RIGHTS.

Kangra Forest Record of Rights prepared for the purposes of section 28 of the Indian Forest Act, 1878, under Notifications Nos. 207 and 208, dated 27th April 1885.

GENERAL PROVISIONS.*

A.—Preliminary.

1. In this record, unless there is something repugnant in the subject or context—

(1) "Demarcated Protected Forests" means the areas specified in the detailed record of rights under the heading Demarcated Protected Forests.

(2) "Undemarcated Protected Forests" means all unassessed waste and forest land as hereafter defined, situated in the Kangra, Palampur, Dehra, Nurpur and Hamirpur Tahsils, except—

(*a*) The demarcated protected forests.

(*b*) The unassessed waste and forest land of the villages of the Palampur Tahsil mentioned in the margin.

(1) Bandla.	(4) Bagotla.	(7) Paprola.
(2) Kandi.	(5) Lanod.	(8) Bhattu.
(3) Kasmal.	(6) Dewal.	

(*c*) The waste land in the villages of Chichiyan, Jiya and Gugar in the Palampur Tahsil recorded as the ban-mafi of the proprietary bodies.

(*d*) The waste and forest land of the 21 villages of the Nurpur Tahsil mentioned in the margin, including the reserved forests in these villages.

(1) Bhol Thakuran.	(8) Sirt.	(16) Bhadroa.
(2) Khairian.	(9) Guryal.	(17) Bhugnara.
(3) Bhadwar.	(10) Larath.	(18) Bari.
(4) Kothi Vandan.	(11) Soldha.	(19) Basa Harialan.
(5) Pundar.	(12) Dolba.	(20) Gahin-lagor.
(6) Munjgraon.	(13) Tilara.	(21) Banoli.
(7) Bhali.	(14) Khani.	
	(15) Dhamtal.	

(*e*) The waste and forest land of the 38 villages of the Dehra Tahsil mentioned in the margin, including the reserved forests in these villages.

(1) Habrol.	(15) Titahn Khurd.	(27) Anoh.
(2) Khandwar.	(16) Titahn Kalan.	(28). Katra.
(3) Tiri.	(17) Baungta.	(29) Barla.
(4) Majin.	(18) Kohei.	(30) Bulwal.
(5) Guthialta.	(19) Khairian.	(31) Chaplah.
(6) Khariana.	(20) Tripal.	(32) Chanaur.
(7) Gumar.	(21) Dhangar.	(33) Tiramal.
(8) Bohan.	(22) Bilaspur.	(34) Dodra.
(9) Drang.	(23) Larhol.	(35) Bakarar.
(10) Amb.	(24) Nagrota.	(36) Bihan.
(11) Paglo.	(25) Jarot.	(37) Garli.
(12) Guhala.	(26). Junat.	(38) Kulpha.
(13) Gagrui.		
(14) Paisa.		

(*f*) The waste and forest lands included in the jagirs of the Rajas of Lambagraon, Goler, Siba, Nadaun and Kutlehr, or under the management of these Rajas.

(3) "Protected Forests" includes both demarcated and undemarcated protected forests.

(4) "Unassessed waste and forest land" means waste and forest land upon which no revenue was charged in the internal distribution (bachh) of the assessment made at the revised settlement of 1866—1869, but it does not include—

(*a*) Land described in the revenue records as "abadi;"

(*b*) Land entered in the revenue records as held in fee-simple and not liable to assessment;

(*c*) Waste and forest land which was not charged with revenue in the bachh of 1866—1869, but which has since that settlement been brought under cultivation or enclosed with the permission of competent authority.

Explanation.—Waste and forest land that was brought into the bachh of the assessment made in 1888—1893 is for the purpose of this record considered to be unassessed if it was not assessed in the bachh of 1866—1869.

* Mr. Anderson's original draft is at page 40 of the correspondence and Sir Dennis Fitzpatrick's rough re-draft at page 77.

(5) "Bartandar" means a person entitled to a right over land or trees in a protected forest which is or are the property of another.

"Khewatdar" means a person entitled to a right by virtue of his sole or joint property in the subject of the right.

"Right-holder" (hakkdar) includes both bartandar and khewatdar.

Explanation.—A person entitled to a right as a co-sharer in common property is, so far as that right is concerned, a khewatdar and not a bartandar.

(6) "Tree," "timber," and "cattle" have the same meaning as in the Indian Forest Act, 1878.

B.—Proprietary Rights and Rights of Khewatdars.

2. The soil of the protected forests belongs to the persons or communities recorded as proprietors of it in the Land Revenue Settlement Record-of-Rights, and these persons or communities may exercise over it all the rights of proprietors, subject to the rights of the Government and of the bartandars and to the other limitations and exceptions hereinafter specified.

3. Trees growing spontaneously or planted by the Government in the protected forests are, except where they stand on land held in fee-simple or on ban-mafis or on garhu kharetars or fields on which a portion of the revenue was distributed in the bachh of 1866—69, or which have been given to any person by a "patta nautor" or other written grant, the property of the Government subject to the rights of the bartandars and to the other limitations and exceptions hereinafter specified: but the fruit on the trees is the property of the owners of the soil subject to the rights of the bartandars and to the other limitations and exceptions hereinafter specified.

* And subject to all such limitations and exceptions Government is entitled to protect, improve and reproduce the forest-growth within the area of the protected forests.

4. In respect to grazing the rights of the khewatdars as owners of the soil of the protected forests are limited in the manner and to the extent hereinafter specified in the case of bartandars entitled to a right of grazing over the soil.

Provided that the owners of the soil of the protected forests in the Nurpur Tahsil and in Mauza Boh of the Kangra Tahsil may allow the horned cattle of Ban Gujars and of others who are not bartandars to graze within the areas of which they are owners, and may take grazing fees from them.

Nothing in this paragraph shall be deemed to prevent the owners of the soil of "sawanas" from taking from the occupants of these sawanas such dues as were recorded in this behalf at the Revised Settlement of the Land Revenue.

5. In the protected forests no land can be partitioned or appropriated for the purpose of cultivation or for making a hay field (kharetar) or a preserve for grazing horned cattle (sawana) by the owners thereof or by any one else except with the previous sanction of the Revenue authorities, which may be refused in the interests of the rights of the Government in the trees or of other rights (if any) which the Government may possess.

C.—Rights of Bartandars.

6. Besides the special rights of Gaddis and of Sawanadar Gujars hereinafter provided for, the following are the rights of bartandars for the exercise of which over land or trees belonging to others provision is made in this record :—

(1) To graze their own cattle.

(2) To take trees and timber—

- (*a*) For agricultural implements and domestic utensils;
- (*b*) For construction and repair of dwelling-houses, cattle sheds and other agricultural buildings;
- (*c*) For fuel for daily use and for marriage and funeral ceremonies;
- (*d*) For cremation of the dead;
- (*e*) For charcoal to be used in the manufacture and repair of agricultural implements.

* "Inserted in accordance with instructions conveyed in Punjab Government endorsement No. 417, dated 14th August 1897."

(3) To take the following articles of forest produce :—

(*a*) Grass of all kinds for fodder and other purposes ;

(*b*) Dry wood for fuel ;

(*c*) Brushwood for fences ;

(*d*) Side branches of trees for fodder and manure ;

(*e*) Fallen leaves for manure and other purposes ;

(*f*) Leaves of trees for tanning ;

(*g*) Leaves of creepers ;

(*h*) Bark of creepers ;

(*i*) Stumps of trees for torches, fuel and charcoal ;

(*j*) Fruits, flowers medicinal and edible roots and leaves ;

(*k*) Surface stones for building and other purposes ;

(*l*) Earth for plastering, making vessels, bricks and other purposes ;

(*m*) Wild honey.

7. The proprietors of the soil of any part of a protected forest who are neither owners nor occupants of any revenue-paying cultivated land in the village where the forest is situated may, subject to the conditions and limitations hereinafter prescribed and to the rules which Government may in exercise of the powers possessed by it in this behalf from time to time make, exercise in respect of the Government trees standing in that part the right to collect dry fallen wood fit only for fuel.

8. The proprietors and agricultural tenants of cultivated land to which in the detailed record of any demarcated protected forest all or any of the rights mentioned in paragraph 6 are declared to be appendant may, subject as aforesaid, exercise such right, within the parts of that forest specified in that record.

9. Proprietors of cultivated land in the Kangra, Palampur, Dehra, Nurpur and Hamirpur Tahsils assessed to revenue and their agricultural tenants may exercise over the trees belonging to the Government standing in undemarcated protected forests situated in villages other than that in which their land is situated only such rights as have been admitted to them in the detailed record for each village.

For the rest they may exercise in any undemarcated forest all or any of the rights mentioned in paragraph 6 to which they are now entitled, provided that such rights shall be exercised subject to the limitations and conditions laid down in this record.

10. Tenants-at-will entitled to trees for building or for agricultural purposes under paragraphs 8 and 9 shall receive these trees through the proprietors under whom they hold.

11. With the exception of—

(*a*) the grazing rights of Gaddis,

(*b*) the grazing rights of Gujars in sawanas, and

(*c*) the right admitted in paragraph 7 to those who are owners only of the waste land and not of any cultivated assessed land,

all the rights of bartandars are appendant to cultivated land assessed to revenue and to land liable to assessment which has since the last assessment of the revenue been brought under cultivation with the permission of competent authority (where permission is necessary) and are acquired and alienated only with such land.

They are exercised only for the *bonâ fide* agricultural and domestic purposes of the bartandars and only in behalf of their own cattle and not for the supply of tea or other industries, nor, except in the case of the personal rights of the Gaddi shepherds and Gujar herdsmen mentioned in paragraphs 10 and 17, are they exercised for purely pastoral as distinguished from agricultural purposes.

12. Forest produce acquired by bartandars in the exercise of their rights may not be sold, bartered or in any way alienated, nor may it be applied to any but the purpose for which it was acquired.

13. Trees for building purposes are not given when the bartandar applying for them has already got a suitable building in a reasonably convenient locality and of size sufficient for the requirements of a *bonâ fide* native agriculturist holding the land to which the right appertains.

14. When trees are given for building purposes the buildings are constructed within the limits of the village where the cultivated land on account of which the trees are given is situated, unless the contrary has been specially allowed.

15. All rights admitted are subject to the limitation that they may not be exercised to an extent that may endanger the existence of the forest over which the rights are admitted. If the exercise of the rights as admitted would endanger the existence of the forest, a limitation must be placed on the exercise of those rights, and in that case the extent of the rights of bartandars *inter se* shall be proportionate to the revenue assessed or that might be assessed in respect of the land to which the right is appendant.

16. Bartandars may graze only their own cattle. They may not lease the grazing in the forests nor take grazing dues nor allow others than recorded right-holders to graze in them. Gujar herdsmen in whose names sawanas were recorded at the revised settlement of 1866—69 may continue to graze their cattle within the local limits and subject to the conditions recorded at that settlement, except in so far as they have been modified by the revised revenue record-of-rights prepared in 1890-93.

No one may graze buffaloes or other cattle in the dhars on the Dhaula Dhar or main Himalayan Range except khewatdars and bartandars in the village in which the dhars are situated, provided that Gujars with a right of pasture recorded at the revenue settlement of 1866—69 may continue to graze as heretofore, but others than Gujars may not graze, even though by mistake a right of pasture was entered at that settlement.

17. The management of the grazing of the sheep and goats of Gaddi shepherds and the right to realize dues from them are entirely in the hands of the Government. These shepherds are the tenants (assamis) of Government and not of the village proprietors. Gaddis may graze in their accustomed runs, as recorded in the detailed record-of-rights, on payment of the dues fixed from time to time by Government.

The shepherds and the zamindars must make their own arrangements in regard to manuring fields; but the zamindars may not interfere with the Gaddis even though they refuse to manure fields except in Kaniyara and Narwana, where by custom the zamindars can claim manure in return for grazing.

In passing to and from their runs the Gaddis have only a right-of-way and may not remain longer than one night at one place, or at most two nights for any special reason, such as heavy rain or giving salt to their flock. If they remain in the protected forests beyond this time they will be liable to grazing dues.

18. The Ban Gujars and others allowed to pasture cattle in the protected forests of the Nurpur Tahsil and of Mauza Boh in the Kangra Tahsil in accordance with the proviso to paragraph 4, and Gujars entitled to grazing in sawanas under paragraph 16, may within the areas over which they have a right of grazing take dry fallen wood fit only for fuel and lop trees for fodder subject to the same restrictions as other bartandars, except as herein provided, they are not entitled to any forest rights unless they are khewatdars or bartandars.

19. Gaddi shepherds may within the areas over which they have a right of grazing take dry fallen wood fit only for fuel and lop trees, but only for fodder for kids, and in respect of such lopping they are subject to the same restrictions as other bartandars. Except as herein provided, they are not entitled to any forest right unless they are khewatdars or bartandars.

20. Whenever land cultivated at the last Revenue Settlement or broken up or appropriated since that settlement under competent authority, or Kharetars whether assessed or unassessed at the Settlement of 1866—69, or ban-mafis or lands held in fee-simple have been included in the limits of any demarcated forest, all rights admitted at the revenue settlement or admitted since that settlement by competent authority may be exercised as heretofore over these areas just as if they had not been included in the demarcated forest.

21. When a portion of any protected forest is closed by the Government in the exercise of powers possessed by it in this behalf, the whole income from sale of grass and other forest produce except timber and trees shall belong to the persons or communities recorded in the Revenue Settlement Record-of-Rights as the proprietors of the soil of the forest so closed.

22. The rights of user detailed in paragraph 6 are allowed subject to the condition that the bartandars shall be responsible for the pay of the rakhas of the forests in which they have rights.

The following special statements submitted by Mr. Anderson with his general provisions *appear* to form part of the Final Record.

RIGHTS IN CERTAIN VILLAGES UNDER A SPECIAL AGREEMENT WITH GOVERNMENT.

In the following villages of Tahsil Kangra,* *viz.*, Bandla, Kandi, Kusmal, Bagotla, Lanod, Dewal, Paprola and Bhattu, the Government right to close one-third of the waste for purposes of forest conservancy was relinquished in 1863 by Secretary to Government's letter No. 226, dated 17th March 1863. In these villages Government also granted to the proprietary body the full ownership in the trees growing on certain areas, which areas are now known as ban-mafi. For the management of the mafi forests see below :—

2. All the rights admitted and the restrictions imposed in the Protected Forests of the Kangra Tahsil apply to the waste land of these villages.

(*a*) All brushwood and trees in maafi forests, even though standing on unassessed waste, belong to the proprietary bodies of these villages.

(*b*) The conditions for closing forests do not apply in these villages.

3. No detailed record-of-rights has been made for these villages as there has been no demarcation. The same rules will apply to them as to the undemarcated forests in villages where there is no ban-mafi.†

RIGHTS IN CERTAIN PRIVATE FORESTS.

Ban-mafis exist in Bandla, Kandi, Kusmal, Bagotla, Lanod, Dewal, Paprola, Bhattu, Chichiyan, Jiya and Gugra. Wherever any waste was recorded as mafi at the revised Revenue Settlement, the trees and other forest produce of the waste belong to the proprietary bodies.

2. The only restrictions that have hitherto been imposed on the use of the trees are—

(1) Green trees for building purposes have not been cut without the permission of the Deputy Commissioner, who, in granting trees, has been guided by the same principles as apply in Government forests.

(2) The lambardar has given permission to cut dry trees and branches of green trees for funerals and marriages, and also for agricultural implements.

(3) As a general rule the waste has not been broken up for cultivation, nor divided among the shareholders, nor has any right in a ban-mafi been alienated except with cultivated land to which the right is appendant.

(4) The produce of the ban-mafis have not been sold or bartered and it has been presumed that the proprietors are entitled to the produce only for their own *bonâ fide* requirements.

(5) Trees have not generally been given for any purpose connected with the manufacture of tea, or other industry: but only for purely agricultural purposes.

(6) Standing green trees have not been injured by the removal of bark, or by cutting torches from them, or by tapping them for gum, or if they have been so injured, the offenders have been punished.

(7) Trees for building purposes must be used on buildings in the villages in which the forests are situated. This rule was laid down by the Deputy Commissioner in an order passed soon after the ban-mafis were granted (see order, Dewal village, dated 15th March 1865). It has not been always observed, but it is of much importance to the people that it should be strictly enforced. There is a tendency for shopkeepers living in other villages to acquire land in mafi villages, and then to claim trees free. Trees should not be granted under these circumstances. Trees from mafi forests should be used in the village where the forests exist.

(8) In short, the restrictions ordinarily prevailing in forests have been observed in the ban-mafis, and the only substantial difference between the ban-mafi and other forests has been that the trees from ban-mafis have been given free, while from other forests they have been paid for at zamindari rates.

(9) The Deputy Commissioner has been the manager of these forests for the village communities, and it is necessary in the interests of the forests and also of the poorer members of the communities, that he should continue to manage the forests, and to impose the restrictions which have hitherto existed and have been accepted by the proprietors.

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* Now Palampur.

† Special rules, however, under 75 (*c*) were notified in Punjab Government Notification No. 6 of 25th January 1897.

Rights in the Undemarcated Forests of villages in which Reserves exist.

Nurpur Tahsil.

In Nurpur tahsil demarcation has taken place at three different times—

1*st*, by Mr. Roe and Mr. Duff jointly in 1872;

2*nd*, by Mr. Duff alone in 1874;

3*rd*, in 1886 under the Notification No. 208, dated 27th April 1884.

2. The demarcation in 1872 extended to only six villages, *viz.*—

(1) Bhol Thakuran,
(2) Khairian,
(3) Bhadwar,
(4) Kothi-wandan,
(5) Pundar,
(6) Maujgiraun,

and in 1874 to 15 villages, *viz.*—

(1) Bhali,
(2) Sirt,
(3) Guryal,
(4) Larath,
(5) Soldha,
(6) Dolba,
(7) Tilara,
(8) Khani,
(9) Dhamtal,
(10) Bhadroa,
(11) Bhugnara,
(12) Bari,
(13) Basa Harialan,
(14) Gahin Lagor,
(15) Banoli.

Forest was demarcated in village Banoli, but, from some mistake or other, no file was prepared. It has, however, been all along treated as a village with reserved forest in it, and received the same privileges as those villages with which a special agreement was made. It is therefore now included among the villages in which demarcation took place in 1874.

3. The enquiry into forest rights made in 1886 did not extend to the reserved forests demarcated in 1872 and 1874, which were declared reserves under Notification No. 112 F., dated 6th March 1879; but an enquiry was necessary and has been made into rights held in the undemarcated parts of these villages, and the following is the result of that enquiry:—

A.—In regard to the six villages demarcated in 1872, an agreement was made with these villages in virtue of which the proprietors of these villages and their agricultural tenants were to be allowed the following special rights:—

(1).—That priced trees were to be given in future at the rate prevailing at the time of agreement, and as at that time the zamindari rate for chil and other trees had not been raised, but was only Re. 0-4-0, hence in these six villages trees of whatever kind must be given to the proprietors and agricultural tenants of these villages at a zamindari rate not exceeding Re. 0-4-0 per tree.

(2).—That one-third of all sale-proceeds of timber should be divided among the village servants and proprietors in the following manner:—

	Rs.	A.	P.
Village proprietors	0	2	4
Patwari	0	0	6
Lambardar	0	1	6
Forest rakha	0	1	0
	0	5	4

(3).—That one-fourth of all income from grazing of sheep and goats should be given to each village in which reserves were demarcated in proportion to the area open for grazing.

(4).—That in future there should be no demarcation or closing in these villages without the consent of the people.

With these four exceptions the rights in the undemarcated parts of these six villages are the same as those recorded for those villages in which demarcation took place in 1886, that is to say, all the conditions recorded in the General Provisions will apply to these six villages, except—

(1).—The price of forest produce. The zamindari price of trees in these villages cannot be raised above Re. 0-4-0 per tree.

(2).—Zamindars will be entitled to one-fourth of income as explained above, but they will have no right to interfere in the management of the grazing or in the collections of the dues. Their right extends merely to receiving one-fourth of the dues collected.

(3).— No area may be closed in these forests without the consent of the people.

(4).—In regard to the share of sale-proceeds of trees and of income from grazing fees from Gaddi shepherds, the special agreement made with these villages will be observed.

B.—In regard to the 15 villages in which demarcation took place in 1874, an agreement was made with these villages in virtue of which the proprietors of these villages and their agricultural tenants were to be allowed the following special rights :—

(1).—That one-third of all sale-proceeds of timber in open, *i.e.*, undemarcated areas should be divided among the village servants and proprietors according to the rule fixed by Government.

(2).—That one-third of all income from grazing of sheep and goats should be divided among the village servants and proprietors according to the rule fixed by Government.

(3).—That in future there should be no demarcation or closing of forests in these villages without the consent of the people.

With these three exceptions the rights in the undemarcated parts of these 15 villages are the same as those recorded for those villages in which demarcation took place in 1886, that is to say, all the conditions recorded in the General Provisions will apply to these 15 villages, except—

(1).—Zamindars will be entitled to one-third of income as explained above, but they will have no right to interfere in the management of the grazing or in the collection of the dues. Their right extends merely to receiving one-third of the dues collected.

(2).—No area may be closed in these forests without the consent of the people.

(3).—In regard to the share of sale-proceeds of trees and income from grazing fees from Gaddi shepherds, the special agreement made with these villages will be observed.

Dehra Tahsil.

1. In Dehra tahsil demarcation has taken place at two different times—

1st, by Mr. Duff in 1875.

2nd, in 1886, under the Notification No. 203, dated 27th April 1886.

2. The demarcation in 1875 extended to 38 villages, *viz.*—

Habrol	Darang	Baungta	Jarot	Tiramal.
Khandwar	Amb	Kohli	Junat	Dodra.
Tiri	Paglo	Khairian	Anoh	Bakarar.
Majin	Guhala	Tripal	Katra	Bihan.
Guthialta	Gagrui	Dhangar	Barlar	Garli.
Khariana	Paisa	Bilaspur	Bulwal	Kuloha.
Gumar	Titahn Khurd	Larhol	Chaplah	
Bohan	" Kalan	Nagrota	Chanaur	

3. The enquiry into forest rights made in 1886 did not extend to the reserved forests demarcated in 1875 which were declared reserves under Notification No. 111 F., dated 6th March 1879, but an enquiry was necessary and has been made into rights held in the undemarcated parts of these villages, and the following is the result of that enquiry :—

An agreement was made with these villages in virtue of which the proprietors of these villages and their agricultural tenants were to be allowed the following special rights :—

(1) That one-third of all sale-proceeds of timber in the open, *i.e.*, undemarcated area, should be given to the village community.

(2) That in future there should be no demarcation or closing of forests in these villages without the consent of the people.

(3) In the agreement there is no mention of a grant of a share in the dues realized from the grazing of sheep and goats in the open waste, but in the vernacular order passed by Mr. Duff on 1st April 1875 immediately on the completion of the demarcation he recorded that one-third of those grazing dues would be given to the village communities, and in accordance with that order this share of the dues has been given up to this time. A share in the grazing dues was given in Nurpur Tahsil, and the principles on which the demarcation in these two tahsils was carried being the same, it has been held that the villages of Dehra Tahsil, in which reserves were formed in 1875, are entitled to receive one-third of the dues realized for grazing of sheep and goats in the undemarcated parts of these villages.

With these three exceptions the rights in the undermarcated parts of these 38 villages are the same as those recorded in the present enquiry for the villages in which no demarcation took place in 1875, that is to say, all the conditions recorded in the General Provisions will apply to these 38 villages, except—

(1) Zamindars will be entitled to one-third of the income as explained above, but they will have no right to interfere in the management of the grazing or in the collection of the dues. Their right extends merely to receiving one-third of the dues collected.

(2) No area may be closed in these forests without the consent of the people.

(3) In regard to the share of sale-proceeds of trees and income from grazing fees from Gaddi shepherds, the special agreement made with these villages will be observed.

SPECIAL CASE OF THE MIANS OF RAJER.

The village of Rajer is the maafi of the Katoch Mians who live in the village and who are also the proprietors of the soil, both of the cultivated land and of the waste. The Mians have preserved the trees within their village bounds, and the state of their forest contrasts favourably with the forest in neighbouring villages. The rules applicable to all waste in the district were not enforced strictly in Rajer, and the Mians had got to consider themselves owners of the trees as well of the soil. Their claim was dismissed in all courts, and the position of the Mians in the forest is exactly the same as that of other village proprietors in the Kangra Valley: and in the record of rights they have been shown as entitled only to the full rights as defined for all zamindars.

2. But in consideration of the care they have taken of the forest: and of their position as maafidars and members of the family of the former ruling Chief of Kangra, they will be allowed the following privileges, subject to the sanction of Government*:—

(1) The Mians will be allowed trees from the forest within their own village, for their own personal use, free.

(2) The trees may not be sold or bartered or in any way alienated.

(3) The trees may not be used in the manufacture of tea, nor for any but purely agricultural purposes.

(4) The trees may not be taken to any other village, even though the Mians may wish to use them for their own requirements in another village.

(5) The trees may not be cut except with the permission of the lambardar, who shall keep a register in such form as the Deputy Commissioner may prescribe. In this register shall be entered all trees cut in the village for, any purpose whatsoever: and a copy of the register shall be sent to the Deputy Commissioner at such intervals as he may direct, but at least once a quarter.

(6) If the concessions made are abused, the Deputy Commissioner may withdraw them, and in that case the Mians will come under the rules that apply generally to all proprietors.

3. Except for special reasons and under the direct orders of the Deputy Commissioner no trees should be sold to traders or others from the forest of this village. The forest will be maintained primarily for the use of the village: but if the privileges granted in the last paragraph are withdrawn, the forest may be treated in every way as the other forests of the tahsil.

SPECIAL CASE OF THE JAGIRDAR OF BIR.

When the jagir of Bir, Kohr and Sawar villages was conferred on Wazir Gusaun in consideration of his services to the British Government, it was recorded that the forests in these villages should continue subject to the rules that were in force in the forests in Khalsa villages: but that the Wazir might cut wood for building, provided that it was not cut for sale or with the intention of making a profit.

2. The jagirdar's position is thus clearly defined. He has no rights in the forest, but as an act of grace, he has been allowed timber for his own legitimate requirements free of payment. A claim put forward by the Wazir that he stood in the same position to the forests as the Jagirdar Rajas was dismissed.

3. As a holder of revenue-paying land in Bir, he will have all the rights of ordinary proprietors. Besides these rights, he will continue to receive free whatever timber he requires for his own personal use as a jagirdar resident in Bir, that is, all timber for building dwelling houses for himself and his household: and also for agricultural purposes. The number of trees granted to him free should not exceed 20 oak, 8 chil and 2 tos per annum. It is not necessary that this number be given year by year: but only such number within this maximum as he may require.

4. Trees required by him for tea factories, or coolies' barracks or for tea boxes or for charcoal, must be paid for at full market rates.

5. He will continue to apply for the trees he requires.

* Sanctioned—see paragraph 17 of Sir Dennis Fitzpatrick's note, page 73 of the correspondence.

SPECIAL CASE OF THE RAJA OF NURPUR.

In its No. 566, dated 26th December 1884, to the Senior Secretary to the Financial Commissioner, Government conferred on the Raja of Nurpur as an act of grace the management of the forests in part of the waste land in Chatroli and Phulel, subject to certain conditions which are hereafter recorded.

2. The Raja is owner of ghumaos 342-3-3 of waste land in Chatroli, and to this area alone does this record extend. The conditions on which the Raja will be allowed to manage the forest area are these—

(1) The trees are the property of Government, subject to the rights and privileges now admitted to the people and to the Raja.

(2) The Raja may not in any way interfere with the rights of the people or attempt to abridge them in any way.

(3) The Raja may not sell wood to any merchant or grant wood to any except those entitled to it.

(4) The Raja is entitled to take whatever wood he requires for the use of his household free of payment. He shall also grant to all right-holders the timber they require in accordance with the rules prevailing in the tahsil generally. In cases where, under these rules, a price (zamindari rate) may be charged for trees, the Raja is at liberty to realize such rates and to retain the whole of them, or he may remit such payments; but in no case may he charge more for trees than is paid by right-holders in the other villages of the tahsil.

(5) In all cases in which the permission of a Forest Officer or of a lambardar is required in other villages for cutting of trees or brushwood, the Raja will take the place of the Forest Officer or lambardar.

(6) Tikas Raja Bagh, Nagawari and Naglar of mauza Chatroli have full rights in the area under the Raja's management. These rights are defined in the General Provisions and may be exercised subject to the conditions therein recorded, except as provided in (5).

(7) The rakha appointed for the Government forests in Chatroli will also be rakha of the Raja's forest, and the Raja will pay him Re. 1 per mensem. When a new rakha is being appointed for the Government forest, the Forest Department, in whose hands the appointment will rest, will take into consideration any representation made by the Raja.

(8) In regard to Gaddis, the forest will be closed in Poh and Magh according to old custom; but in Phagon the forest will be open to grazing on the payment of a nazar to the Raja. The Raja must arrange that the Gaddis remain on the fields of the zamindars of the tikas near the forest in which they have hitherto been accustomed to remain; but the zamindars and the Gaddis will arrange among themselves as to the consideration (*milana*) to be paid for thus manuring fields.

(9) If the Raja fails in complying with any of these conditions the privileges now conferred on him may be withdrawn by Government.

3. The Raja is owner of tika Phulel, mauza Badwar, and the following record applies only to the waste in that tika:—

(1) As for Chatroli.

(2) Ditto.

(3) Ditto.

(4) The Raja is entitled to take whatever wood he requires for the use of his household free of payment. He shall also grant to all right-holders the timber they require in accordance with the rules prevailing in the tahsil generally. In cases where in mauza Badwar a price (zamindari rate) may be charged for trees, the Raja is at liberty to realize such rates and to retain the whole of them, or he may remit such payments; but in no case may he charge more for trees than is paid by right-holders in Badwar.

(5) As in Chatroli.

(6) Tikas Nagrota, Phulel, Silko, Garniaru, Bharnoli, Uperli Barndlih, have full rights in the waste of tika Phulel, as defined above, for Bhadwar village, and may be exercised subject to the conditions therein recorded, except as provided in (5).

(7) The rakha will, as heretofore, be appointed by the Forest Department, but any representation made by the Raja will receive due consideration.

(8) As (9) for Chatroli.

SPECIAL CASE OF THE JAGIRDAR OF REH.

The case of the Jagirdar of Reh rests on the record made by Mr. Lyall at the revision of settlement. This was in reality the first settlement of this village, as it had not been settled by Mr. Barnes. He held that the proprietors of the cultivation were not the owners of the waste, but that they were entitled to *bartan*, and to a preferential right to break up land to the exclusion of outsiders. He did not allow that the Jagirdar was proprietor of the waste, but according to custom he had certain rights in the waste; *e.g.*, no land could be broken up except with his permission, and Jagirdars generally had possession of the trees though the suzerain always kept the ban-waziri in his own hand.

The meaning of this record is—

1st.—That Government is owner of the waste, and

2nd.—That Government is owner of the trees; subject in both cases to the rights of the Jagirdar and of the people. In this case the rights of the people are the same as in other villages, with one exception, that land may not be broken up without the permission both of Government and of the Jagirdar.

The rights of the Jagirdar are not very clear, but he should be allowed*—

1st.—All the rights admitted to ordinary zamindars.

2nd.—The right to receive free all trees *bona fide* required for his own use.

3rd.—No land should be broken up without his permission, and subject to the payment of rent.

4th.—As an act of grace, Government should grant to him the share of the income from sale of trees which in other places will be given to the village proprietors. He must apply for trees, but in granting them consideration should be shown.

SPECIAL CASE OF THE MAHANT OF DAMTAL.

At the time when Mr. Duff demarcated reserves in Nurpur tahsil he took up an area of 321 acres 3 roods 26 poles in Damtal, and 74 acres 3 roods 2 poles in Sirt. He conferred on the Mahant of Damtal full rights in the area demarcated in Sirt, and also in 4 acres 3 roods in Damtal; that is, the trees, bamboos, etc., in that area are the absolute property of the Mahant and may be used by him in any way he wishes for the use of the temple, and he may even sell them and apply the income to the maintenance of the temple. In the open area of Damtal village he has a right to supply himself free of charge with timber and bamboos, as well as to give his chelas and cultivators permission to do the same; but the Mahant must apply to the Forest Officer in charge, who will indicate the timber and bamboos to be cut. Only sufficient material for the *boná fide* requirements of the temple and of the chelas and cultivators should be given, and no part of it should be sold or bartered. The orders on this subject are to be found in the correspondence ending with Government of India No. 782, dated 22nd October 1884, and Commissioner's No. 544, dated 27th December 1884, to Deputy Commissioner, Kangra.

SPECIAL CASE OF THE CHAUDHRI OF INDAURA.

A piece of forest area about 160 acres has been for many years under the direct management of the Chaudhri of Indaura. He is not owner of the trees, but the forest was handed over to his management for the supply of the wants of the zamindars. The rights of the parties are recorded in a decision passed by Munshi Amin Chand on 10th March 1869, and confirmed by the Settlement Officer on 13th March 1869. The arrangement therein recorded will continue. The only point that requires to be specially noted is that the Chaudhri, at present Mala Singh, has no authority to sell timber, and that if the trees are wantonly cut, or the forest destroyed, the management may be taken out of his hands.

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* Sanctioned—see paragraph 17 of Sir Dennis Fitzpatrick's note, page 73 of the correspondence.

Record of Sheep-grazing Runs in the Dehra Tahsil.

No.	Taluka.	Villages from which the run is formed.	Gaddis having rights.	REMARKS.
1	Changar-Balihar.	(1) Bohan ... (2) Drang. (3) Sihaur. (4) Gilor. (5) Kumbkar. (6) Kathog. (7) Gumar. (8) Amb. (9) Gagrui. (10) Sil. (11) Kuhala. (12) Nahar. (13) Phaglo. (14) Katui.	(*a*) First as to Mukaddami. The right to Mukaddami is held by two families (Doras), half by the descendants of Kapla and half by those of Sobarn, of Got Chugianu, residents of Kand-Bari. A detail of the shares of each individual will be found in the Vernacular record. The Mukaddams take from their assamis four annas per hundred and divide the income according to their ancestral shares; but sometimes also they take turns to collect the income, the turn coming in accordance with the ancestral shares. The Mukaddams themselves pay four annas per hundred, which goes to the common fund for distribution. (*b*) Division of the run between Mukaddams and assamis— (1) The grazing in villages Bohan, Drang, Sihaur, Gilor, Kumbkar and Kathog is held by all the Mukaddams except Sauja, and also by Anta, Mania, Atra and Khair, who are old assamis. (2) In Gumar village, Charia, Dang, Jara, Ludar and Churu graze their flocks. They are only assamis. The first three have come for many years; the last two more recently. (3) In Amb, Gagrui and Sil villages Joti, Jinjan and Sundar, who are old assamis, graze. (4) In Kuhala and Nahar villages Nard and Larga, old assamis, graze. (5) In Phaglo village Sanja, Mukaddam, and with him Dagi, assami.	This run consists of the villages which formed the Balihar Taluka which now forms only a part of the Changar Balihar Taluka.
2	Ditto ...	Villages included in Changar Taluka proper except Habrol.	(*a*) The right-holders in this run belong to two families of Got Barsain: one now represented by Purka Gaddi of Bandla, and the other by Sibia Gaddi of Lala, but the families have many branches, and only a few of the members find grazing in the run. As was to be expected under these circumstances, there are no assamis at all. The families have rights in Pati (Kapar Nal), a run in the Kangra Tahsil, and they go to various places in search of grazing. (*b*) They arrange among themselves for the division of the grazing which varies from year to year. They all pay four annas per hundred to the Mukaddam of the year who divides the income according to ancestral shares.	
3	Ditto ...	Habrol ...	Dagela, Gaddi, is the Mukaddam of this run. There are with him two assamis, Dalpat and Bangali, who pay him four annas per hundred. With Dagela are also the Gaddis that have a right in one of the runs in Taluka Mangarh—see No. 8.	
4	Jaswan ...	Garli Kuloha ...	There are two Mukaddams of this run—(1) Ujal, &c., descendants of Parbat, Got Khanoru, one-half and (2) Mussammat Joti, widow of Biptu, Got Kapur. The run is grazed jointly by them and their assamis, *viz.*, Gungar, Raju, Sagur, &c., who pay four annas per hundred.	
5	Siba ...	Gungot ...	The Mukaddam of this run is Mussammat Joti, widow of Biptu, Got Kapur, of Dharamsala and Chichiyan, who gets four annas per hundred from her assamis. Of these, four are old, *viz.*, Jauri, Bagi, Sambo and Basesar, all of Chichiyan.	

Record of Sheep-grazing Runs in the Dehra Tahsil—continued.

No.	Taluka.	Villages from which the run is formed.	Gaddis having rights.	Remarks.
6	Chanaur ...	Whole taluka Chanaur and part of Nangal in Taluka Kohasan.	In the Taluka Chanaur there are two runs—one on each side of the Thakurdwara Khad. The run on the right side includes Jaswal-ki-beth from Nangal village, which is in the Kohasan Taluka. These two talukas were once one large run, but the grazing has been divided for some years, two families remaining in Chanaur and three in Kohasan. The Mukaddams of the run on the right side of the Khad are the descendants of Mohini, Mutasaddi, &c., Kapur Gaddis of Lala village, and of the second run on the left side the descendants of Magina, &c. There are no assamis and nothing is paid by any one.	
7	Kohasan ...	Whole taluka except Jaswal-ki-beth in Nangal.	There are in this taluka three families who have divided the grazing in the following manner :— (1) Misru's run consisting of— Karol ban in Har, Garh ban in Bara and Kasba. Tindi ban in Daliara. The Mukaddams of this run are the descendants of Kaumpa, residing in Chichiyan. (2) In this family there are two divisions— (*a*) Jaura run consisting of— Barnalu ban in Daliara, Barwara ,, in ,, Thana ,, in ,, The Mukaddams are the descendants of Rahmat. (*b*) Jangi's run consisting of— Pot Nal ban in Daliara. Barwara Uperla ,, The Mukaddams are the descendants of Barfi Sujan, &c. (3) Kalesar's run consisting of— Kohla-di-beth in Sunet, Diara in ,, Bagluna in ,, Badal in ,, Bagnal in Barun. Dunga in Har. Kalania-di-beth in Nangal. The Mukaddams are Kalesar, Sagur, Jinjan, &c., of Lala. There are no old assamis in these runs. Indeed the families who have the management cannot now find sufficient grazing for their own flocks and send them to various parts of the district.	
8	Mangarh ...	...	In this taluka there are three separate runs, which are somewhat arbitrarily divided— (1) Villages and tikas on the Bakandi side of the path from Titahan Khurd to Baungta, but excluding the part of Titahan Kalan lying towards Haripur. (2) That part of Titahan Kalan which lies towards Haripur. (3) The villages and tikas lying on the Dehra side of the path from Titahan Khurd to Baungta. The first run is grazed by Bungo, Sukhia, Sambo, Y[illegible]shi, Ujal, Kashaura and Belo, who are Tanan Gaddis of Chichiyan. The sharers take the Mukaddami in turn, the others being considered as assamis for the time and paying four annas per 100. There are no old assamis. The third run is grazed by the descendants of Zulphi, Dagela, Purbia, now represented by Surjan, Dagela, Labdi, &c. There are no assamis and nothing is either given or taken. The Gaddis entitled to this run also graze in Habrol (see No. 3). Surjan and Dagela being entitled to one-half and Labdi, &c., to one-half. The second run is held by the Haripur Gaddis—see No. 9.	

Record of Sheep-grazing Runs in the Dehra Tahsil—continued.

No.	Taluka.	Village from which the run is formed.	Gaddis having rights.	Remarks.
9	Haripur ...	Haripur Taluka, except Bilaspur.	This taluka is divided into two parts : Bilaspur village being grazed by the Gaddis who have a right in Nagrota Taluka—see No. 10. The rest of the Haripur Taluka, and also the part of Titahan Kalan lying towards Haripur (see No 8), is grazed by two families with equal rights, *viz.*, Bar-ru and Bhat, Kapur Gaddis of Jiya. Part of this run is on the right side, or west of the Boner (Ban-Ganga), and for this part the Gaddis pay Rs. 3 to the Raja of Chamba in a lump sum. The rate is Re. 1 per hundred.	
10	Nagrota ...	Taluka Nagrota (Khalsa) and Bilaspur village of Taluka Haripur.	This run, which includes the whole of the Nagrota Taluka and Bilaspur village of Taluka Haripur, lies on the west side of the Boner, and the Gaddis who graze in it pay the Raja of Chamba one rupee per hundred. The Raja may be considered the Mukaddam, and the Gaddis are his assamis. The run has been divided into two parts— (1) On the left side of the Gaj, grazed by the descendants of Dhanu, Dana, Jaimal, Dhanu (2), Gyano and Bhiku. (2) On the right side of the Gaj, grazed by Chuhr and Mali, sons of Ratan.	
11	Dametta ...	Whole Taluka Dametta.	This run is on the right or west side of the Boner, and Re. 1 per hundred is paid to the Raja of Chamba, who may be considered the Mukaddam. There is, however, in this run a Gaddi who comes in between the Raja of Chamba and the ordinary shepherds, and he takes four annas also under the name of Mukaddami. There was a dispute as to what family was entitled to this position, which was decided in favour of Hoshnak, that is, the family of Bai Ram Kapur, Gaddi of Pathear. The other claimants, Damodhar and Narotam, have however been accustomed to graze their own flocks without payment of the four annas per hundred to Hoshnak, and this privilege should continue to them in consideration of their relationship to Hoshnak. The run has been divided into two parts— (1) Samlian in Katra, Panga in „ Man in Dametta, Chariata in „ and Barla, Badela in Janat, Be in Barla, Mundlai in Janat, Chararu in „ Babial in „ Kangra in Unoh, Chabuan in Ther, Thabkaur in „ Tara in Dametta, Baliara in Unoh, Poli in „ Chabbar in Chabbar, grazed by Hoshnak and his family, and also the following assamis, Raunki of Pathear and Biptu of Barmaor, but they have come only recently.	

Record of Sheep-grazing Runs in the Dehra Tahsil—concluded.

No.	Taluka.	Village from which the run is formed.	Gaddis having rights.	REMARKS.
11	Dametta—(*concluded*).	Whole Taluka Dametta.	(2) Bathu in Bathu, Jagnoli in Janat, Madot in „ Bhatoli in „ Lobara in „ Kora in „ Sanan in „ Gungral in „ Bareti in „ Baliatu in „ Chariata in Dametta and Barla, Maraur in Katra, Har in „ Barla Khas in Barla, Kahru in Katra. grazed by Damodhar and Narotam and with them the following old assamis, *viz.*— Panchi of Dharmsala Chamaru ditto Mauni ditto Nokhu ditto Indar ditto Gobind ditto Thanu ditto Karpa ditto Thaiyan ditto } These assamis graze sometimes with Hoshnak and sometimes with Damodhar.	